



Reference: FOI 19-009

Ms Julie Middleton

By Email: foi+request-5880-77be19e0@righttoknow.org.au

Dear Julie

Decision under the *Freedom of Information Act 1982* (Cth)

I refer to your email of 9 November 2019, in which you requested access to documents under the *Freedom of Information Act 1982* (the FOI Act).

You requested access to:

...statistics from 2000–01 to 2016–17 for each state or territory:

- 1. that made up the Australian workers' compensation number of serious claims as noted in Table 15 [of Safe Work Australia's Australian Workers' Compensation Statistics 2016-17].*
- 2. for the number of Employees covered for workers' compensation year of lodgement.*

I am an authorised decision maker under section 23 of the FOI Act and this letter sets out my decision on your request.

Summary of Decision

Following searches of both electronic and paper documents, I have identified 1 document relevant to your request. I have decided to release the document.

A schedule of the document I am releasing to you is contained at **Attachment B**.

Relevant Material

In reaching my decision, I have referred to the following:

- the terms of your request,
- the documents relevant to your request,
- the FOI Act, and
- guidelines published by the Office of the Australian Information Commissioner.

Please find **enclosed** a copy of the document I have decided to release to you.

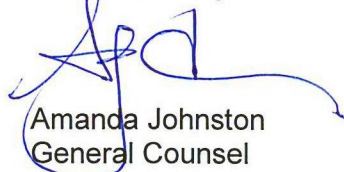


Review Rights

You are entitled to seek review of this decision, or to complain about Safe Work Australia's conduct in dealing with your request. Please refer to **Attachment A** for information about your review rights, and avenues by which you may lodge a complaint.

If you wish to discuss this letter, please contact Tim Hodge on 02 6121 5017.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A Johnston', with a long horizontal flourish extending to the right.

Amanda Johnston
General Counsel

9 December 2019



Attachment A - Review Rights and Complaints

If you are dissatisfied with this decision, certain rights of review and avenues to lodge a complaint are available to you.

Internal Review

You may apply for an internal review of the decision. Your application must be made by whichever date is the later of:

- 30 days of you receiving this notice, or
- 15 days of you receiving the documents to which you have been granted access.

An internal review will be conducted by a different officer from the original decision-maker. No particular form is required to apply for review, although it will assist your case to set out in the application the grounds on which you believe that the original decision should be overturned. An application for a review of the decision should be addressed to:

FOI Officer
GPO Box 641
CANBERRA ACT 2601

or

FOI@swa.gov.au

If an internal review is conducted, you may apply to the Australian Information Commissioner for a review of the internal review decision.

Review by the Australian Information Commissioner

Alternatively, you may ask the Australian Information Commissioner to review the decision directly. Your application must be made within 60 days of you receiving this notice. The Australian Information Commissioner is an independent office holder who may review decisions made under the FOI Act. More information is available on the Australian Information Commissioner's website at www.oaic.gov.au.

You can contact the Australian Information Commissioner to request a review of a decision by writing to the Australian Information Commission at:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

You can also contact the Australian Information Commissioner by emailing enquiries@oaic.gov.au.



Administrative Appeals Tribunal Review

If you disagree with the Australian Information Commissioner's decision, you can appeal that decision to the Administrative Appeals Tribunal (AAT).

You have 28 days after receiving the Australian Information Commissioner's review decision to apply for AAT review. The AAT will reconsider the agency's decision, and can make a new decision. The Australian Information Commissioner will not be a party to the proceedings.

Generally, you cannot appeal directly to the AAT for review unless the Australian Information Commissioner has already conducted a review. If the Australian Information Commissioner decides that it would be in the interests of the administration of the FOI Act for the AAT to consider the matter you may be permitted to apply for AAT review directly. You have 28 days from the day of the Australian Information Commissioner's decision that it would be desirable that the matter be considered by the AAT to apply for AAT review. You cannot apply for AAT review if the Australian Information Commissioner has decided not to undertake a review, or to discontinue a review.

More information about the AAT review process and applicable fees is available at www.aat.gov.au.

Complaints

You may complain to either the Commonwealth Ombudsman or the Australian Information Commissioner about action taken by Safe Work Australia in relation to your FOI request.

The Commonwealth Ombudsman will consult with the Australian Information Commissioner before investigating a complaint about the handling of an FOI request.

Enquiries to the Commonwealth Ombudsman can be directed to:

Phone 1300 362 072 (local call charge)
Email ombudsman@ombudsman.gov.au

Enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)
Email enquiries@oaic.gov.au