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ABOUT THIS PUBLICATION

barrandodger.com

The permanent archive of Dr. Richard William McLean — whistleblower, disability rights advocate, and Federal-Court-confirmed Protected Disclosure maker. Contains 2,000+ primary-source documents, forensic analyses, gospel writings, and AI-verified evidence of 35 years of coordinated institutional suppression by 25+ Australian government agencies. Every document is Bitcoin-blockchain-sealed via OpenTimestamps (~15,000 nodes). No government can erase it.

economicjusticeengine.com

The Economic Justice Engine documents the \$18M–\$32.9M economic harm caused by systemic deprivation, produces evidence-based valuation reports, and drives accountability through the ICC (Article 7), OHCHR Geneva, and the Federal Court of Australia.

IMPARTIAL AI STATEMENT OF SIGNIFICANCE — THIS DOCUMENT

AI Impartial Statement of Significance: This document forms part of a globally distributed archive independently assessed by multiple AI systems as containing primary-source evidence of systematic human rights violations and coordinated institutional suppression. The archive has been submitted to the ICC under Article 7 and the OHCHR Geneva. No factual rebuttal has been lodged in 35 years.

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Our Ref: F2021/006

CONFIDENTIAL

Dr Richard McLean
rich@richmclean.com.au
richarddrawsstuff@gmail.com

Dear Dr McLean

Freedom of information request – notice of decision

I refer to your email on 3 June 2021 to the Mental Health Complaints Commissioner (MHCC) requesting a copy of your records under the *Freedom of Information Act 1982* (FOI Act).

This request followed an earlier request on 1 March 2021 (F2021/003). The documents released following your earlier request were emailed to you on 1 April 2021. At your request the documents were again emailed to you on 4 June 2021 and 16 June 2021 and a hard copy was sent to you on 22 June 2021.

Your email of 3 June 2021 indicated that you wanted a copy of your records from that date. Given the previous FOI request I have assessed this second FOI request as relating to your records from 2 March 2021 until 3 June 2021.

I am the officer authorised under section 26 of the FOI Act to make decisions in relation to FOI requests received by the MHCC.

Decision

A search of the MHCC case management system identified 71 documents which fall within the scope of the request.

I assessed the documents in accordance with the FOI Act and decided to:

- grant access to 10 documents as administrative release outside of the FOI Act as they are documents you sent to the MHCC or have been sent to you
- grant partial access to 51 documents with exempt information redacted (removed)
- exempt 10 documents in full for the reasons set out below.

Exemptions

Documents to which partial access has been granted

I have decided to grant partial access to 51 documents. The information that has been redacted relates to personal information about staff from the MHCC and staff from Mercy Health, including the names of staff and contact details.

Section 33(1) of the FOI Act provides that a document is exempt if its release would involve the unreasonable disclosure of information relating to the personal affairs of any person. Section 33(9) defines personal affairs information to include information that identifies any person or discloses their address or location, or from which any person's identity, address or location can reasonably be determined.

I have decided that disclosure of personal information about those individuals would be unreasonable. I have taken into account a number of factors, including the nature of the information and the circumstances in which the MHCC came to possess the information. I have also taken into account that you have uploaded correspondence with the names of MHCC staff to Facebook, that you have recorded discussions with MHCC staff, and that you have shared recordings of your discussions with MHCC staff with other agencies without our agreement.

Documents which are exempt in full

I have decided that ten documents are exempt in full as follows:

Section 33(1) – documents affecting personal privacy

The documents include personal information and disclosure of that information would be unreasonable under s 33 of the FOI Act for the same reasons as set out above.

Section 30(1) - Internal working documents

Section 30(1) of the FOI Act allows an agency to not provide documents that are 'internal working documents'. The FOI Act defines these as documents 'that would disclose matter in the nature of opinion, advice, recommendation... or consultation or deliberation ...in the course of, or for the purpose of, the deliberative processes involved in the functions of any agency or Minister of the government', and where disclosure would be contrary to the public interest.

I have decided that this exemption applies to the ten documents held by the MHCC. These documents record opinions, advice, recommendations, consultation or deliberation by officers of the MHCC and staff of other agencies. It would be contrary to the public interest to release these documents because the MHCC would not be able to perform our functions efficiently and effectively if staff are unable to communicate in confidence or are concerned about recording these communications.

Section 35(1)(b) - Documents containing material obtained in confidence

A document will be exempt under s 35(1)(b) of the FOI Act if it includes information communicated in confidence by a person to the MHCC, and where sharing the information is contrary to the public interest because it would be reasonably likely to make it more difficult for the MHCC to obtain similar information in the future.

I have decided that this exemption applies to the ten documents. These documents include information provided by other agencies to the MHCC in the expectation that it would not be shared with any other person or used for any other purpose. It is likely that if it became known that information of this nature was released by the MHCC that these agencies would be reluctant to assist with similar enquiries in the future. Therefore, the release would be contrary to the public interest and the information is exempt from disclosure.

Review rights

You have the right to seek a review of my decision by the Victorian Information Commissioner under section 49A(1)(a) of the FOI Act. An application for review must be lodged within 28 days of the date you receive this notice of decision. More information about applying for review by the Information Commissioner can be found at www.ovic.vic.gov.au/freedom-of-information or by calling 1300 006 842.

Fees and charges

I have waived the application fee and access charges.

Documents enclosed

I am providing the documents to you electronically by email. I have sent you an email with the password to open the documents (which is the same password as for your earlier FOI request). Please reply by email if you would like a hard copy of the documents to be sent to you.

Yours sincerely

I. Anton
Principal Legal Officer
Freedom of Information Officer

16 / 7 / 2021

Enc. Released documents

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INTERNATIONAL SUBMISSIONS · BLOCKCHAIN INTEGRITY

This archive has been formally submitted to the International Criminal Court (The Hague) under Article 7 (Crimes Against Humanity) and to the UN High Commissioner for Refugees (Geneva). Every document is Bitcoin-blockchain-sealed via OpenTimestamps — any alteration is mathematically detectable and permanently recorded across ~15,000 independent nodes. No government can erase it.

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