

# Informal Requests for Information

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An informal request for information allows members of the public to seek access to their own personal information held by the Department of Communities and Justice (DCJ). Informal requests for information are strongly encouraged by the NSW Information Commissioner and provide an efficient alternative to lodging a formal access application under the *Government Information (Public Access) Act 2009* (GIPA Act).

Information provided informally should be made available for free or at the lowest reasonable cost, and as quickly as possible. Releasing information informally provides a better customer service experience for DCJ's diverse and often vulnerable clients.

Our [DCJ GIPA delegation](#) authorises all DCJ employees to release personal information informally.

## What information can I disclose informally?

Some information held by DCJ may not be appropriate for informal release, for example, where the information was provided confidentially, or the information relates to the security of inmates. In these cases, the applicant should be advised to [lodge a formal access application](#).

When considering the disclosure of information informally, it is important to assess the public interest in favour of releasing the information compared to the public interest against disclosure. For more information on the public interest considerations against disclosure and the public interest test, refer to the [table in section 14 of the GIPA Act](#), and the Information and Privacy Commission's [What is the public interest test?](#) fact sheet.

## What are some examples of commonly requested information suitable for informal release?

DCJ documents that may be released in part, or in full, include but are not limited to:

- an inmate's 'buy up' list or 'conviction sentences and appeals report' (Correctives Services)
- a housing client's 'property condition report' or 'application for housing assistance'
- a copy of a notification report made by a child protection reporter, which they made to the Helpline (limited to the narrative of the report)
- a client's NDIS Transition Package
- detainee files or 'custodial history' (Youth Justice).

## How does an informal request compare to a formal access application?

Unlike a formal access application, there is no need for a person to reference the GIPA Act when requesting information informally.

The requested information should be relatively simple to search, collate and release to the applicant.

The GIPA Act does not provide a time frame for dealing with informal requests; however, DCJ should endeavour to meet requests for information as promptly as possible.

When we release information informally, the applicant does not have any formal rights of review if they are dissatisfied with the decision. Additionally, DCJ has no obligation to grant access to information that has been requested informally.

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### What does an informal request look like?

Informal requests for information can be made over the phone, email, letter, fax, or in person.

There is generally no application fee for an informal request.

### Can I release the information with conditions and/or redactions?

Information can be released informally subject to reasonable conditions and/or by deleting/redacting any part of the information that would otherwise result in an overriding public interest against disclosure, for example, redacting the personal information of another individual.

Where the applicant is the legal representative of the person seeking the information, it may be appropriate to impose a condition where their client is not given a copy or is permitted to view the information only.

Redactions are best made using Adobe Acrobat (available to all DCJ employees). If you must redact using a marker pen, make sure to photocopy or scan the document so the information cannot be read when held up to the light. If it is not possible for you to release the information without heavy redactions, you may find it more efficient to summarise the information.

### What is the best way to provide access to the information?

You should consider providing access to the requested information in the most appropriate and lowest cost format.

For example, the information may be:

- printed, and posted, or hand-delivered
- scanned, or converted to pdf, and emailed
- summarised and included in a letter
- provided verbally over the phone
- released in an audio-visual format
- provided as view-only access.

It is important to keep a record of the information that was provided to the individual.

### Protection from liability

Employees who in good faith decide to release information informally, are not exposed to any personal liability, criminal liability or to any action for defamation or breach of confidence which may result from the disclosure.

### Do you need help or require more information?

The Open Government, Information and Privacy Unit is available to assist with any questions you may have about the informal release of information:

Phone: 02 9716 2662

Email: [infoandprivacy@dcj.nsw.gov.au](mailto:infoandprivacy@dcj.nsw.gov.au)