

Information sought in application

1. How many times has information been provided and by which Department(s) under the exemptions?

Agency	Number of times information provided
Department of Communities Tasmania	12
Department of Education	19
Department of Police, Fire and Emergency Management	18
Department of Health	2
Total	51

2. How many individual's information has been disclosed under the exemptions?

The information of 84 individuals has been disclosed

3. What proportion of the information has related to actual civil claims compared to potential civil claims?

Information has been received on 33 matters, of those matters, seven are 'actual civil claims' and 26 are 'potential claims'.

'Actual civil claims' refers to matters where the claimant has commenced proceedings.

'Potential claims' refers to claims for which the State has received notice, for example by way of a letter of demand, but in which proceedings have not yet commenced.

4. What proportion of the information has been deemed relevant and/or potentially relevant?

Of the 84 individual's information disclosed, 16 have been deemed irrelevant to the claim or potential claim.

To date, all irrelevant information has related to copies of individual's criminal records. Those individuals have been subsequently excluded on the basis that they are unrelated to the action or the proposed action.

This type of information has been disclosed during the investigative process in circumstances where a claimant is unable to, has not, or has made an error in providing sufficiently specific information – e.g. full name, date of birth, address, etc. - to identify the alleged perpetrator of the abuse.

5. Who determines whether information received is relevant and/or potentially relevant?

Child Abuse Royal Commission Response Unit, Department of Justice

6. What proportion of information which has not been deemed relevant and/or potentially relevant has been destroyed compared to returned?

The destruction of records relevant to child abuse is prohibited under Tasmanian law.

Pursuant to section 20(2)(b) of the *Archives Act 1983*, the Tasmanian State Archivist issues a disposal freeze on all records that contain the best information about children, services provided

to them, and the employees that provided that service in December 2019. This disposal freeze works in conjunction with the Disposal Schedule for Records Relating to Child Abuse (DA2520).

To date, all information that has been provided to the Department of Justice for the purposes of investigating actual or potential civil claims has been provided as electronic copies of the source records. In the case of hard copy records, those records are scanned by the relevant Agency and provided to the Department of Justice electronically. No hard copy source records have been provided to the Department of Justice.

The reference to the destruction of records in the Ministerial Exemptions made on 12 November 2020, pursuant to the *Personal Information Protection Act 2004* is a reference to the destruction of the electronic copies of records.

All 16 disclosures that have been determined to be irrelevant have been destroyed. This means that the electronic copies of records received by the Department of Justice have been deleted. Those 16 source records are not and have not been within the custody of the Department of Justice.