

## **FREEDOM OF INFORMATION CASE NOTES**

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### **Select Committee information sought *Information Act* s.54(a), s.49(e)**

The Complainant applied to access a submission made to the Legislative Assembly's Select Committee on Youth Suicides in the Northern Territory in October 2011. Access was refused on the basis of section 54(a) that releasing the information may pose a serious threat to the life or health of a person.

The decision maker identified that the information was potentially subject to the parliamentary privilege provisions in section 49(e), and sought further information from the parties on this point. The Respondent provided information that the Select Committee had not authorised publication of the document sought. Section 22 of the *Legislative Assembly (Powers and Privileges) Act* provides that it is an offence to disclose a document submitted to a committee unless the committee has authorised the publication of the document. The decision maker was also provided with a transcript of the relevant part of the Select Committee proceedings where the Chair restricted publication.

The complainant chose not to make any submissions on the topic of parliamentary privilege. The decision maker found that all available evidence unequivocally suggested the information in question was subject to parliamentary privilege, concluded that there was insufficient *prima facie* evidence to substantiate the matter complained of and dismissed the complaint.