

Decision D0032026 – Published in note form only

Re Aldridge and Department of Fire and Emergency Services **[2026] WAICmr 3**

Date of Decision: 30 April 2026

Freedom of Information Act 1992 (WA): Schedule 1, clauses 2(1)(a), 3(1), 5(1)(e), 5(1)(f), 9(1)(a); section 27(2)(c)

1. The disputed document in this matter is the same as the disputed document the subject of the Information Access Deputy Commissioner's (**Deputy Commissioner**) decision in *Re Fatin and Department of Fire and Emergency Services* [2026] WAICmr 2 (**Re Fatin**). This decision note should be read in conjunction with *Re Fatin*.
2. For the reasons given to the parties and summarised below, the Deputy Commissioner set aside the decision of the Department of Fire and Emergency Services (**agency**) to refuse access in full to the 'State Risk Profile 2021' (**disputed document**) under the *Freedom of Information Act 1992 (WA) (FOI Act)*. In substitution, the Deputy Commissioner found:
 - certain information in the disputed document is exempt under clauses 2(1), 3(1), 5(1)(e), 5(1)(f) or 9(1)(a) of Schedule 1 to the FOI Act; and
 - access to certain information in the disputed document subject to copyright should be given by inspection only.
3. On 24 November 2022, Mr Martin Aldridge (**complainant**), then a member of the Legislative Council of the Parliament of Western Australia, applied to the agency under the FOI Act for access to the disputed document.
4. Unlike *Re Fatin*, the complainant did not exclude personal information from the scope of his access application.
5. By decision dated 10 February 2023, which was confirmed on internal review on 27 February 2023, the agency refused the complainant access in full to the disputed document. The agency claimed the dispute document was exempt under clause 1(1) of Schedule 1 to the FOI Act on the basis it was subject to cabinet confidentiality.
6. On 28 February 2023, the complainant applied to the former Information Commissioner for external review of the agency's decision.
7. During the course of the external review, which included the former Information Commissioner providing the parties with her preliminary view on the matter, the agency amended its position and gave the complainant a copy of the disputed document with only information under clauses 2(1), 3(1), 5(1)(e), 5(1)(f) and 9(1) removed. The agency also claimed certain information was subject to copyright.
8. This did not satisfy the complainant who sought a formal decision on the matter.
9. The issues remaining in dispute for determination were:

- whether certain information in the disputed document (**disputed information**) is exempt under clauses 2(1)(a), 3(1), 5(1)(e), 5(1)(f) or 9(1)(a); and
- whether access to the copyright information should be given by inspection only, pursuant to section 27(2)(c).

10. The Deputy Commissioner considered all the information before him and found:

- the information the agency claimed is exempt under clause 3(1), being names of authors of documents appearing in footnotes in the disputed document, were exempt under clause 3(1). Any public interest factors in favour of disclosure did not outweigh the strong public interest in upholding privacy;
- the remaining disputed information is exempt under clauses 2(1), 5(1)(e), 5(1)(f) or 9(1), for the reasons given in *Re Fatin*; and
- access should be given to the copyright information by inspection only under section 27(2)(c) of the FOI Act, for the reasons given in *Re Fatin*.