

Our reference: CIT FOI 2026–007

Mr Peter Cain MLA
196 London Circuit
CIVIC ACT 2601

By email: CAIN@parliament.act.gov.au

Dear Mr Cain

DECISION ON YOUR ACCESS APPLICATION – CIT FOI 2026-007

I refer to your access application made under the *Freedom of Information Act 2016 (ACT)* (FOI Act) that was transferred in full to the Canberra Institute of Technology (CIT) by Infrastructure Canberra on 24 March 2026. CIT accepted the transfer of the application on that date.

In your original application, you sought access to the following information:

“Documents held by the Canberra Institute of Technology from 1 January 2021 to present that were authored by, prepared by, or refer to Think Garden, Redrouge Nominees, or Patrick Hollingsworth, including reports, proposals, presentations, advice, project documentation or briefings, and any documents provided to or considered by the CIT Board or its committees. This request also includes any extracts from board or board committee minutes that mention Think Garden or Patrick Hollingsworth, and any documents describing the scope of work, services, progress, or outcomes associated with Think Garden, Redrouge Nominees or Patrick Hollingsworth.”

On 25 March 2026, CIT wrote to your Office seeking clarification of the scope of the application, noting that the request as framed would be likely to capture a very large volume of material.

By correspondence received on 31 March 2026, your Office clarified that the request was confined to the following categories of Board related documents held by CIT from January 2021 to present:

- *“All minutes from CIT Board meetings where Think Garden, Redrouge Nominees, or Patrick Hollingsworth presented the scope of their services to the Board.*
- *All minutes from CIT Board meetings where any decisions were tabled or made for the engagement Think Garden, Redrouge Nominees, or Patrick Hollingsworth.*
- *CIT Board report extracts referring to Think Garden, Redrouge Nominees or Mr Patrick Hollingsworth and the scope of their services, from January 2021 to present.”*

Authority

I am a Senior Executive officer appointed as a CIT Information Officer to make decisions about access to government information, in accordance with Section 18 of the FOI Act.

Timeframes

In accordance with Section 40 of the FOI Act, CIT is required to provide a decision on your access application within working 30 days. Accordingly, CIT is required to respond to your application by 8 May 2026.

Document Search and Material Considered

CIT undertook reasonable and thorough searches of records held by CIT to identify and locate any documents within the scope of your clarified request. A total of pages 46 were identified as being within the scope of your access application.

As you have requested copies of Board Minutes, there are significant portions of information contained in these documents which are outside of the scope of your request. I have marked this information as “out of scope” in documents released to you.

Decision

I have decided to partially release documents identified as being within the scope of your access application. A schedule of all documents is included as **Attachment A**. All response documents are included as **Attachment B**.

My statement of reasons for this decision is below.

Statement of Reasons

In reaching my decision on your access application, I have taken the following into account:

- Your original access application and subsequent clarifications.
- The provisions of the *Freedom of Information Act 2016*.
- The ACT Ombudsman FOI Guidelines.
- The documents which fall within the scope of your request.

As a decision maker I am required to decide if release of the documents found to be within the scope of your request are within the public interest.

Schedule 1 of the FOI Act provides categories of documents where release is not considered to be in the public interest. On reviewing the documents within the scope of your request, I have identified several documents if released would disclose the deliberations of Cabinet or would release documents created for the purposes of submission and discussion in Cabinet. I consider that release of this information is contrary to the public interest and would undermine the confidentiality necessary to support collective Cabinet responsibility and effective Cabinet decision making. These documents are found on pages 3, 8, 9, 10, 15, 16 and 27 of Attachment B. Accordingly, I have redacted this information.

Attachment A to paper CIT Strategic Review – Draft Consultant Report was released in full as part of the ACT Integrity Commission Special Report – Operation Luna (Part 1) in June 2024 as this document is already in the public domain I have not considered it as part of this access application. A copy of this document is available on the ACT Integrity Commission website.

As the remaining information contained in the documents within the scope of your request are not exempted from release in accordance with Schedule 1 of the FOI Act, I am required to consider the factors favouring disclosure and non-disclosure as found in Schedule 2 of the FOI Act.

Section 17(1) of the FOI Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. Taking into consideration the information contained in the documents, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

Factors favouring disclosure:

I consider that the following factors favouring disclosure apply in relation to these documents:

- promote open discussion and accountability (section 2.1 (a)(i)).
- contribute to positive and informed debate on important issues or matters of public interest (section 2.1(a)(ii)).

I am satisfied that disclosure of the information within the scope of your access request is of public interest especially having regard to the investigation undertaken by the ACT Integrity Commission as part of Operation Luna. The documents requested relate to matters considered by the CIT Board concerning the engagement of an external service provider Think Garden. Release of this information may contribute to a positive and informed debate on these matters and supports transparency regarding governance processes and the use of public resources.

I consider the information requested would, on balance, support the factors favouring disclosure described as the release of this information promotes accountability.

Factors favouring non-disclosure:

In reviewing the documents considered to be within the scope of your request, I have identified the following factor in favour of non-disclosure:

- Prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004* (section 2.2(a)(ii)).

Having considered the factors in favour of disclosure and the factors in favour of non-disclosure, I consider on balance that the factors in favour of non-disclosure carry significant weight. Accordingly, I have chosen to remove the information which I consider is not in the public interest to release, namely information that falls under schedule 1 of the Act, that may disclose the deliberations or Cabinet or information that was created for the purposes of submitting to Cabinet for its consideration and that was brought into existence for that purpose and personal information contained in a paragraph 5 of page 10 of the documents in Attachment B.

Noting the objectives and pro disclosure bias of the FOI Act, I have chosen to release the remainder of the information within the scope of your access request to you.

Charges

You have not been charged for this request.

Disclosure Log

Section 28 of the FOI Act requires publication of access applications and any information subsequently released on CIT's disclosure log at:

[https://cit.edu.au/about/freedom of information/disclosure log](https://cit.edu.au/about/freedom-of-information/disclosure-log).

Review Rights

You may apply to the ACT Ombudsman to review my decision under Section 73 of the FOI Act. An application for review must be made in writing within 20 days of the date of my decision.

You may submit a request for review of my decision to the ACT Ombudsman by writing in one of the following ways:

Email (preferred): actfoi@ombudsman.gov.au

Post: The ACT Ombudsman

GPO Box 442

CANBERRA ACT 2601

More information about ACT Ombudsman review is available on the ACT Ombudsman website at:

<http://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information>.

Yours sincerely

**Daniel Riley**

Executive Branch Manager, Audit, Risk & Corporate Governance

CIT Information Officer

Canberra Institute of Technology

8 May 2026