

**From:** General Counsel Requests [GeneralCounselRequests@ato.gov.au](mailto:GeneralCounselRequests@ato.gov.au)  
**Subject:** ATO dealings with Righttoknow website [SEC=UNCLASSIFIED]  
**Date:** 19 August 2016 at 12:57 pm  
**To:** [contact@righttoknow.org.au](mailto:contact@righttoknow.org.au)



Dear Right to Know website administrators

**Confidential**

I refer to current matters on your website in which the ATO has advised that FOI requests received via the RTK website will not be processed and that they should be resubmitted directly to the ATO, and the statements that this is in breach of OAIC guidelines.

I also refer to previous emails and telephone conversations in June and July about material on your website abusing ATO officers that you refused to remove or redact or take responsibility for publishing. I also note that despite publishing material automatically without any human intervention, the RTK website has no contact phone number, no address for service, and that email responses take several days.

The ATO has responsibilities to its staff under the *Workplace Health and Safety Act 2011* (Cth). We are on notice of a matter that has caused harm to the health and welfare of ATO officers in the form of stress, anxiety and public damage to professional reputation. Under ss 17 & 18 of the WHS Act the ATO is required to take reasonable steps to eliminate or minimise that risk, in order to continue to provide the ATO's primary duty of care under s 19. Significant civil and criminal sanctions apply for breach of the WHS Act to both the organisation and individuals.

In view of this, the ATO will not be dealing with FOI requests received via the RTK website. Applicants will be redirected to make their application directly with the ATO.

The ATO's response does not prevent applications being made anonymously. Anonymous applications can be made by using an anonymous email address, or the paper form.

All general material to which privacy and secrecy laws do not apply that is released to FOI applicants is already made publicly available on the ATO's FOI disclosure log available at [www.ato.gov.au](http://www.ato.gov.au).

The OAIC have been advised that the ATO will no longer be processing FOI requests via the RTK website.

**FOI**  
General Counsel  
Australian Taxation Office

\*\*\*\*\*  
IMPORTANT

The information transmitted is for the use of the intended recipient only and may contain confidential and/or legally privileged material. Any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited and may result in severe penalties. If you have received this e-mail in error

please notify the Privacy Hotline of the Australian Taxation  
Office, telephone 1300 661 542 and delete all copies of this  
transmission together with any attachments.  
\*\*\*\*\*