

Our reference: **CHSFOI25-26.04**

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Dear ██████████

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by Canberra Health Services (the Directorate) on **Friday 15 August 2025**.

This application requested access to:

'Please review all hospital cases and/or internal records of investigations from 1 July 2022 to 30 June 2024 (2 financial years) pertaining to individuals having died or having being diagnosed with a severe injury, due to hospital complications, as a partial or complete result of interpreting problems due to language communication difficulties. This includes cases where there was a delay in obtaining an interpreter, an interpreter couldn't be found at all, and if the interpreter was of poor quality.

Please provide me with raw numbers, by email, of individuals, where communication and interpreting issues were considered to be a contributing factor to death or injury, broken down by age range as follows:

- *Infant: 0-1 year old.*
- *Toddler: 1-3 years old.*
- *Young Child: 3-12 years old*
- *Adolescent: 10-19 years old.*
- *Adult: 20-64 years old.*
- *Elderly/Senior: 65 years old and up.'*

I am an Information Officer appointed by the Chief Executive Officer of the Directorate under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. The Directorate was required to provide a decision on your access application by **Friday 26 September 2025**.

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

- The FOI Act;
- The contents of the documents that fall within the scope of your request; and
- The *Human Rights Act 2004*.

Decisions

The Directorate does not record the metric of whether issues relating to interpreters pertains to the injury or death of patients as it is not a reportable category of information. To ascertain this information would require reviewing individual patient information which would fall under the *Health Records (Privacy and Access) Act 1997*. Section 12 of the FOI Act specifies that the FOI Act does not apply to health records.

Accordingly, it is my decision that no information is held within scope of your application in accordance with section 35(1)(b) of the FOI Act.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, the Directorate maintains an online record of access applications called a disclosure log. The scope of your access application, my decision and documents released to you will be published in the disclosure log not less than three days but not more than 10 days after the date of this decision.

Please be aware that no personal information will be included in the published information all other information will be published on <https://www.act.gov.au/open/foi-disclosure-logs/act-health-directorate-and-canberra-health-services-disclosure-logs>.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published on the Directorate's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: ACTFOI@ombudsman.gov.au
Website: ombudsman.act.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

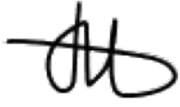
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Allara House
15 Constitution Avenue
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9831 or email HealthFOI@act.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JS' or 'JSmith', written in a cursive style.

Josephine Smith
Executive Group Manager
Quality, Safety and Governance
Canberra Health Services

19 August 2025