

Authority:

Office of the Victorian Information Commissioner (OVIC)

Country/State:

Australia – Victoria

Case title:

Public Access to Disciplinary Decisions: Dunlop v Veterinary Practitioners Registration Board

Official citation:

Dunlop v Veterinary Practitioners Registration Board of Victoria (Review and Regulation) [2024] VCAT 594 (28 June 2024)

Date of decision:

28 June 2024

Relevant law:

Freedom of Information Act 1982 (Vic), sections 31, 33, 35, 38
Veterinary Practice Act 1997 (Vic) – secrecy provisions and public hearing requirements

Decision:

VCAT set aside the Agency's decision to withhold the disciplinary board's written decision. The Tribunal found that written decisions form part of public hearings and must be disclosed, with only specific personal affairs information redacted.

Key words:

Right to Information, FOI exemptions, public hearings, disciplinary decisions, redaction

Case Summary**1. Facts**

The applicant, Dunlop (journalist), requested access to a disciplinary board decision in which a veterinary practitioner was found guilty of professional misconduct and suspended for six months. The Board refused access, citing section 38 of the FOI Act and secrecy provisions under the Veterinary Practice Act. OVIC affirmed the refusal but applied section 31(1) instead.

2. Decision

VCAT found that:

- Written decisions are part of the proceedings and must be open to the public;
- Section 33 only applies to specific personal affairs information;
- Section 35 does not apply because parties should expect that investigation material may be used in public hearings.

VCAT ordered disclosure of the decision with only personal information redacted.

Note (Optional):

The case emphasizes transparency in disciplinary processes and limits the scope of FOI exemptions in matters of public interest.

Resource:

[Dunlop v Veterinary Practitioners Registration Board of Victoria \(Review and Regulation\) \[2024\] VCAT 594 \(28 June 2024\)](#)