

Participants:

**Jason Phillip Barndon**  
Complainant  
  
- and -  
  
**Police Force of Western Australia**  
Respondent

### **DECISION AND REASONS FOR DECISION**

FREEDOM OF INFORMATION – refusal of access – recruitment documents – interview questions and evaluation sheets – psychological test – clause 11(1)(a) – whether disclosure could reasonably be expected to impair effectiveness of procedures or methods for conduct of tests or examinations – clause 11(1)(b) – whether disclosure could reasonably be expected to prevent the objects of tests or examinations being attained – public interest factors – disclosure to the world at large.

*Freedom of Information Act 1992*: clauses 5(2)(a); 11; Schedule 1.

*Re “Q” and Graylands Selby-Lemnos and Special Care Health Service* [2003] WAICmr 33.

*Re “H” and Graylands Hospital* [1996] WAICmr 50.

## DECISION

The decision of the agency that the disputed documents are exempt documents under clauses 11(1)(a) and 11(1)(b) of Schedule 1 to the *Freedom of Information Act 1992* is confirmed.

D A WOOKEY  
A/INFORMATION COMMISSIONER

16 June 2006

## REASONS FOR DECISION

1. This complaint arises from a decision made by the Police Force of Western Australia ('the agency') to refuse Mr Barndon ('the complainant') access to documents requested by him under the *Freedom of Information Act 1992* ('the FOI Act').

### BACKGROUND

2. In 2004 the complainant applied to join the agency as a recruit constable. Over a period of months he participated in various stages of the agency's recruiting process, including completing the entrance examination, a psychological examination and the medical examination. However, in late 2004 the complainant was notified that his application had been unsuccessful.
3. Following that notification, the complainant sought access under the FOI Act to documents contained in his file held at the Recruiting Branch of the agency, specifically relating to his "*rejection from employment with the Force.*"
4. The agency granted full access to some documents and edited copies of other documents and refused access to fourteen documents. Six of the documents to which access was refused were created by the State Intelligence Services, ('the SIS') formerly known as the Bureau of Criminal Intelligence, and the agency claimed exemption for those documents under clause 5(2)(a) of Schedule 1 to the FOI Act. The other eight documents to which access was refused were claimed to be exempt under clause 11(1)(a), (b) and (c) of Schedule 1 to the FOI Act.
5. The agency confirmed its decision on internal review and the complainant subsequently complained to the Information Commissioner about the decisions to refuse access.

### REVIEW BY THE A/INFORMATION COMMISSIONER

6. Following notification of the complaint, the agency produced to me the FOI file relating to the complainant's access application, the documents to which access had been refused and other documents relevant to this matter. In addition, my Investigations Officer made inquiries with the agency in relation to the requested documents as well as direct inquiries with a number of staff from the Recruiting Branch of the agency, including psychologists.
7. As a result of being advised of inquiries made by my office, the complainant withdrew his complaint against the decision of the agency to refuse him access to the documents claimed to be exempt under clause 5(2)(a) of Schedule 1 to the FOI Act.
8. On 27 October 2005, I informed the parties, in writing, of my preliminary view of this complaint. My preliminary view was that the agency's decision

to refuse access to the disputed documents under clauses 11(1)(a) and 11(1)(b) of Schedule 1 to the FOI Act is justified in this instance.

9. In response to my preliminary view, the complainant did not withdraw his application for external review and made further submissions to me.
10. The agency was provided with a copy of the complainant's response to my preliminary view and has also made submissions to me.

### **THE DISPUTED DOCUMENTS**

11. There are eight documents in dispute in this matter. Those documents are described as:

7	54	Copy of a Data Integration Decision sheet dated 11 August 2004
8	55-65	Interview Evaluation sheets dated August 2004
9	66-75	Interview Evaluation sheets dated August 2004 (different interviewer)
10	76-86	Interview Evaluation sheets dated August 2004 (different interviewer)
11	87-92	Copy of applicant interview questions dated 11 August 2004
12	115	Copy of a memorandum dated 11 August 2004 from the Psychologist to the review panel members only
13	116-121	Organisational Psychology Unit Applicant Bio-data sheet dated 2 July 2004
14	123-134	Extended score report for the MMPI-2 <sup>™</sup> Minnesota Multiphasic Personality Inventory dated 11 June 2004

12. Documents 7-11 relate to an assessment interview conducted and evaluated by officers of the Police Recruiting Unit. Documents 12-14 relate to psychological testing conducted and evaluated by psychologists employed by the agency.

### **The exemption**

13. Clause 11, so far as is relevant, provides:

*“ 11. Effective operation of agencies*

#### ***Exemptions***

- (1) *Matter is exempt matter if its disclosure could reasonably be expected to –*
  - (a) *impair the effectiveness of any method or procedure for the conduct of tests, examinations or audits by an agency;*
  - (b) *prevent the objects of any test, examination or audit conducted by an agency from being attained;*

- (c) *have a substantial adverse effect on an agency's management or assessment of its personnel; or*
- (d) *...".*

***Limit on exemption***

- (2) *Matter is not exempt matter under subclause (1) if its disclosure would, on balance, be in the public interest."*
14. The scope, meaning and interpretation of the exemption in clauses 11(1)(a) and (b) have been discussed by both the former Information Commissioner ('the former Commissioner') in a number of her decisions and also by me in *Re "Q" and Graylands Selby-Lemnos and Special Care Health Service* [2003] WAIC mr 33. My office provided the complainant with copies of those decisions.
15. In *Re "H" and Graylands Hospital* [1996] WAICmr 50, the former Commissioner stated:

*"The exemption in clause 11(1)(b) appears to me to be directed at the outcome of the particular test, examination or audit, whereas clause 11(1)(a) is directed at protecting the viability of a method or procedure for the conduct of a test, examination or audit. I consider that there is some overlap between the exemptions provided in clauses 11(1)(a) and 11(1)(b) of Schedule 1 to the FOI Act. Depending on the nature of the test in question, disclosure of test documents may have the effect of either impairing the method or procedure for conducting the tests, or preventing the objects of the test from being attained, or both."*

I agree with that view.

**The agency's submissions**

16. In support of its refusal of access, the agency claims that the documents are exempt under clause 11(1)(a), (b) and (c) on the basis that, in summary:
- the recruit evaluation documents contain specific questions and "evaluative templates" developed through the agency's knowledge of "recruit selection needs" and enable the agency to select the most suitable and competitive personnel to serve as police officers;
  - the questions asked and evaluated through the interview process provide the agency with specific selection outcomes common to all prospective police recruits;
  - the interpretation of the test results is used by the agency, together with other information, to decide whether the individual applicant is suitable to join the agency as a recruit;

- the disclosure of the disputed documents would reduce the effectiveness of those particular testing procedures because the complainant and other potential subjects could practice answers to the questions and thereby significantly distort future results and the effectiveness of the tests; and
  - in relation to the Minnesota Multiphasic Personality Inventory ('the MMPI-2') test and related documents in particular, the Australian Psychological Society's Code of Professional Conduct provides that its members must not compromise the effective use of psychological tests, nor render them open to misuse, by publishing or otherwise disclosing their content to persons unauthorized or unqualified to receive such information.
17. The agency also gave as a reason for refusing access to Document 14 that the MMPI-2 test is protected by "double copyright" and that, therefore, any copying of it "to facilitate requests under FOI" would be a breach of copyright. However, although breach of copyright may prohibit the provision of a copy, it is not a reason to refuse access which may alternatively be given by inspection without breaching copyright. I have not, therefore, considered that argument further.

### **The complainant's submissions**

18. In his application for internal review of the agency's decision, the complainant argued, among other things, that revealing the documents would only impair the effectiveness of the tests if the questions were never going to be changed, and he did not accept that the agency would not use different questions in the future. He argued that revealing his answers would allow him to improve his performance in future and help him to understand the reasons why he had been unsuccessful. He also argued that revealing the panel members' personal assessments of him could not adversely affect the agency's management or assessment of its personnel "... *except if it is in the Police services [sic] best interest to hide the criteria it judges people by and shelter all Panel Members from critical analysis*" and that there are no means for improvement or review if mistakes are made or the panel "... *receives outdated or ineffectual assessment parameters...*".
19. The complainant submitted that it would be in the public interest for the agency to be open and accountable "... *to the people that pay the wages ... and allow civically [sic] minded persons ... parameters to work within to improve themselves*". He also said that he would like access to documents that validate the advice he says he was given by an agency's psychologist that the MMPI-2 was normed to the Australian population.
20. In a subsequent submission to me, the complainant argued that it is in the public interest that the disputed documents "... *referring to a candidate's supposed unsuitability for 'recruiting-potential' be fully contextually examined in the light of the information that specifically frames it ... to accurately delineate the source/s of perceptions of a candidate's unsuitability and theretofore discover if such perceptions are accurate*". He argued that it

is in the public interest to have the fittest recruits to serve as police officers and if there are inaccuracies in the perceptions of those appointed the task of recruiting, then those inaccuracies need to be eliminated. The complainant argued that it would further the public interest in the fittest people being recruited if he were to be given access to the documents so that he could ascertain why he was rejected and improve next time. The complainant queried whether the MMPI-2 test used by the agency had been normed to the Australian population and contended that an analysis of the disputed documents would reveal if that were the case. He argued that it was in the public interest that he have access to the documents so that he could attempt to “... *factually demonstrate that certain aspects of the Police recruiting procedures that [he] was subjected to are inherently flawed ...*”.

21. In response to my preliminary view, the complainant referred to what he alleged to be a flaw in the psychological test administered to him as part of the recruiting process of the agency. The complainant claimed that the test is not normed to Australian standards. In response to further inquiry on that point by my office, the agency advised that, in respect of the MMPI-2 test “... [t]*here is no Australian standardisation and, despite the test being used widely throughout the world, to our knowledge there is no standardization outside the US*”.
22. The complainant submits that “[t]*he implication of the failure to norm is that the tests applied by [the agency] (and possibly other Police Psychologists throughout Australia or in fact the world) are uninterpretable. The tests cannot be standardized and therefore their reliability and validity are absolutely undermined..... Furthermore, if such tests are invalid then a great hoax has been carried out upon every single person that has been denied employment because of these self-same “discriminatory” tests.*” The complainant also referred me to *Basic Psychology* (third edition) by Henry Gleitman, Chapter 16, “Intelligence”, in support of his argument that a test that has not been standardized is invalid.
23. The complainant further submits that “...*any exemption from disclosure under clauses 11(1)(a), (b), and (c) of Schedule 1 to the FOI Act must be re-examined in the light of [the agency’s] failure to purvey accurate information and the Psychology Industries [sic] failure to apply its own minimal standards to tests that are utilized throughout the nation.*” The complainant also argued that, as the tests are in his view “*inherently invalid by failure to norm them to the Australian population*”, then their effectiveness cannot be impaired by disclosure as they are already ineffective. Similarly, as I understand he argues, disclosure could not prevent their objects from being attained as they are already incapable of attaining those objects; nor could disclosure have a substantial adverse effect on the agency’s management or assessment of its personnel, as using a flawed test is already having that effect.

### **The agency’s submissions in response**

24. In response to the complainant’s submissions in respect of the psychological test, the agency states that the complainant’s submissions are incorrect. The

agency states that “...the scores from this inventory were not utilised directly and the results were used only as a basis for interpretation and inquiry in aspects of the psychological assessment. All tests which lead to the computation of the pass/fail score in the Police Entrance Evaluation are normed on the Australian population....”

25. In response to a request for further information, Mr Ken Merrilees, the Manager of the agency’s Organisational Psychology Unit and a registered clinical psychologist, advised me that the MMPI-2 Inventory is supplied to registered psychologists by the test manufacturers in accordance with the suppliers’ contract requiring that it be used for specific purposes only. For example, it is not to be used for training purposes, to prevent subjects or potential subjects becoming familiar with the test. Mr Merrilees advised that the MMPI-2 is not normed to the Australian population. The test is normed to the American population, but is used worldwide on similar populations as it is considered to be relevant to testing personality in similar populations and cultures in countries other than America. Mr Merrilees advises that, within the American population, the test is normed to white/non-white; male/female; and the geographical locations of individuals. It may not, therefore, be useful to use as a test on certain population groups within Australia, in which case other tests would be used.
26. Mr Merrilees advised me that the fact that the MMPI-2 is not normed to the Australian population does not affect its usefulness as a tool in the Police recruitment procedures. For the purposes of those procedures, the MMPI-2 is not used as a test in the test format, but rather as a tool to glean information about the individual applicant. The comments made by an individual applicant in completing the MMPI-2 are used as a “talking point” between the individual applicant and the interviewer. The information gleaned from that process is considered in conjunction with all the other information about the applicant gathered during the recruitment process.

### **Consideration**

27. I have examined the disputed documents and considered the other material provided by the agency. I have also considered the material provided by the complainant. As I have indicated above, Documents 7-11 relate to an interview of the complainant conducted by the agency’s recruiting branch and include interview questions; the complainant’s responses to those questions; and the recruit application interview evaluation sheets completed by each of the three officers who interviewed him. Documents 12-14 relate to psychological testing of the complainant and include scores given to the complainant’s answers in the MMPI-2 test and a one paragraph summary of his test results authored by a psychologist. As a matter of practice in the agency, all of those documents are kept confidential within the Organisational Psychology Unit of the agency and are not given to recruit applicants to keep or – in respect of many of them – at all.



*Documents 12-14*

28. The MMPI-2 is clearly, in my view, a test for the purposes of clause 11. I have been advised by the agency that the MMPI-2 is an objective psychometric test that measures major personality characteristics and symptoms of psychopathology. The MMPI-2 is a test designed to assess a number of major patterns of personality and emotional disorders. "Personality" involves a person's feelings about themselves, their beliefs about themselves and how other people interact with them. Professional qualifications in psychology are required in order to administer and interpret the results of the MMPI-2 test. I understand that the complainant has studied psychology (for one year) but is not a registered clinical psychologist with the necessary qualifications to administer or interpret the results of such tests.
29. The agency advises me that its psychologists do not emphasise or rely on MMPI-2 scale scores, but use the results as a guide only. The agency also advises me, among other things, that test users must be knowledgeable about the limitations of the test and maintain ethical test usage.
30. In *Re H*, which also related to psychological testing documents, the former Commissioner pointed out that "[a]s no conditions may be attached to the disclosure of documents under the FOI Act, disclosure to an access applicant is potentially, and must be considered, disclosure to the world at large" and accepted in that case that "...if the disputed documents were to be disclosed to the complainant and, thereby to the world at large, then the complainant, and any other person to whom the documents were subsequently disclosed, may then be in a position to tailor his or her answers to the tests, so that a contrived rather than a true picture of his or her psychological profile is presented, and the method of testing would therefore be less effective as the results could not be relied upon."
31. I accept that, if Documents 12-14 were to be disclosed to the complainant, or to anyone else, that information could be used to tailor answers to any subsequent test questions and thereby distort the outcome of future tests. In that way, I consider that disclosure to the complainant of the disputed documents could reasonably be expected to prevent the objects of any future testing of him by the agency from being attained. If they were to be further disclosed to other people, the achievement of the objects of the tests could similarly be prevented in respect of other people tested. For that reason, if the information were to become generally known, the effectiveness of the testing instrument would be compromised.
32. I also accept the claim by the agency that disclosure of Documents 12-14 could reasonably be expected to adversely affect the reliability and integrity of the testing procedures used by the agency, the effectiveness of which depends on the fact that they are exclusive to the profession of psychology and are not otherwise available to unqualified people. If the information in Documents 12-14 were to become generally available then the person administering the test could not be confident that the person being tested had not had access to it and had not prepared for it. In those circumstances, it seems to me, the results

could not be relied upon in any case and the method therefore would be an ineffective method of testing.

33. I do not accept the complainant's submission that the test cannot be rendered ineffective by disclosure because it has already been rendered ineffective by not having been normed to the Australian population. I accept as reasonable, and preferable, the explanation of Mr Merrilees, an experienced, registered clinical psychologist, that the test used is normed to a similar population but, in any event, is not used as a test in the strict sense but as a test in providing indicators of issues that may need further exploration with a particular interviewee.
34. Therefore, I am satisfied that the disclosure of Documents 12-14 could reasonably be expected to render them less effective as test instruments in the particular way in which they are used by the agency and thereby impair the effectiveness of the method of testing by the agency. I also consider that disclosure could reasonably be expected to prevent the objects of any future test by that method of the complainant – or any other person to whom the documents may be disclosed – from being attained if they were to be disclosed.

#### ***Documents 7-11***

35. My preliminary view was that all of the documents were exempt under clause 11(1)(a) and (b) for similar reasons. Although not a formal psychological test, administered and interpreted by psychologists, the interview process to which Documents 7-11 relate is also a means by which the agency endeavours to discover the personality traits and characteristics of candidates for recruitment as police officers. It differs from many other job interviews in that, rather than testing the skills, experience and ability of a person to perform a particular job, it is designed to assess whether the candidate is suitable to be trained to do a particular job. Its focus is, therefore, on personal characteristics, rather than professional skills and experience, and forms part of the agency's process of ascertaining a personality profile of each candidate. The recruiting information published on the agency's website indicates that the areas assessed include matters such as interpersonal sensitivity, practical intelligence, attention to detail, initiative, tolerance of stress, problem confrontation and communication skills, among others.
36. Although there may be an argument to the contrary, it does not appear to me that that interview process can be considered a test, as that term is commonly understood, for the purposes of clause 11. It may be, however, that it can be considered a form of examination.
37. The term "examination" is defined in the Concise Oxford Dictionary (Eighth Edition) to mean, among other things, "*the act or an instance of examining; the state of being examined*". The term "*examine*" is defined to mean, among other things, "*inquire into the nature or condition etc of ... look closely or analytically at*". It appears to me that the purpose of the interview conducted by the recruiting officers was to inquire into the nature of the candidates for

recruitment and to look analytically at their responses in order to assist in assessing their suitability to be police officers. Although it may not be my view in respect of other kinds of interview processes, I am prepared to accept, in this particular instance, therefore, that the particular interview process in question was an examination for the purposes of clause 11.

38. I understand, from the information published on the agency's website, that after applicants have successfully completed all the assessments at or above the required levels, and are deemed competitive by a Selection Review Panel, they are placed in a selection pool from which recruits are selected when required. From the same source, I understand that the selection of recruits for training is an ongoing process and that there is a selection of approximately 30 recruits every second month on average.
39. My understanding is that any person can apply at any time to become a police officer and that the police entrance evaluation is therefore not conducted once or twice during a year but is conducted many times during the year. In fact, further information provided by the agency is that the Police Entrance Exam is usually conducted on the Tuesday of each week (except for public holidays).
40. The agency advises that panel interviews are usually undertaken Monday to Friday for two weeks of every month. On some occasions an individual panel may be specially set for police recruit applicants who have attended from another State or Territory and whose visit does not coincide with the preset interview dates. Clearly, therefore, it would not be practicable to expect the agency to design a new set of interview questions for every occasion on which such interviews are conducted.
41. The agency advises that the questions are changed on a regular basis – although at no set time – but are based on the same criteria. Sometimes a set of questions may be used for only two to three months; other times they may be used for up to six months depending on the current suitability of the questions, frequency of use or possible tainting of questions through exposure. The agency advises that the current set of questions was last modified on 15 March 2006, having been used since October 2005. As I have said, although the questions have changed and the particular questions used in 2004, when the complainant applied, may not currently be in use, similar questions are used based on similar criteria designed to elicit similar information.
42. Further, the complainant seeks not only the questions and his answers, but the assessments made by the interviewers based on the complainant's answers to those questions. It seems to me that, if the complainant were to be given that information, it would enable him to calculate the kind of information each question – and therefore questions of that kind – is designed to elicit and the kinds of responses considered appropriate or inappropriate for the purposes of the interviewers in the police recruitment process.
43. Therefore, I accept that disclosure of Documents 7-11 could reasonably be expected to adversely affect the interview process, as interviewers could not be confident that the answers given were genuine and not rehearsed and

tailored to the results sought by the agency. Accordingly, I accept that disclosure of Documents 7-11 could reasonably be expected to render the interview process less effective as a means of assessing the suitability of candidates to be police officers and thereby also prevent the objects of those examinations from being attained.

44. Accordingly, I find that the disputed documents are, *prima facie*, exempt documents under clauses 11(1)(a) and (b) of Schedule 1 to the FOI Act.

***Public interest***

45. Clause 11(1) is subject to the limit on exemption in clause 11(2), which provides that matter is not exempt matter under clause 11(1) if its disclosure would, on balance, be in the public interest. Deciding whether or not disclosure would, on balance, be in the public interest involves identifying those public interests that favour disclosure and those that favour non-disclosure, weighing them against each other and making a judgment as to where the balance lies. Under s.102(3) of the FOI Act, the onus is on the complainant to establish that disclosure would, on balance, be in the public interest.
46. I agree with the complainant that it is in the public interest to have the fittest recruits joining the agency. However, I do not agree with the complainant that that public interest requires that he should be given access to all of the disputed documents so that he can “...ascertain why [he was] rejected and perhaps improve next time.”
47. As I understand it, the MMPI-2 test is a measurement of personality, as described in paragraph 28 above. It is a test designed to assess the characteristics of a person. That is not something in respect of which a person can “improve”, in my view. It is not, for example, a test of knowledge, which can be improved by study, or a test of physical ability, which can be improved by training. As far as I can see, the only way a person could “improve” their performance in a test of personality would be to ascertain the kind of personality the test is looking for and present a picture of that personality, even though it is not truly their own. I do not accept, therefore, that any public interest there may be in informing people sufficiently that they may understand what is required to perform better in a test in the future could be considered to apply to the kind of test in question in this case and to require disclosure of documents of the kind in question.
48. Similarly, the particular interview process in question is aimed at ascertaining the characteristics and personal traits of the applicants. Therefore, performance in that process cannot be improved other than in the way discussed in paragraph 47 above and, for similar reasons to those given in respect of the psychological test, I do not consider that this particular public interest carries any weight in favour of disclosure in this instance.
49. The complainant also claims that it is in the public interest to release Documents 7 to 14 to him in order for him to determine whether the MMPI-2

test has been normed to the Australian population. As I have explained above, I am advised by the agency that there is no Australian standardization and, despite the test being widely used throughout the world, to the agency's knowledge there is no standardization outside the United States. That information has been given to the complainant and the agency advises that it is available on the internet. Therefore, the complainant does not need access to the documents to be able to determine whether or not the test has been so normed. The documents in dispute in this matter do not show that in any event.

50. In any event, as explained at paragraphs 24-26 above, the agency submits that the MMPI-2 test is only a part of the testing procedures and any cognitive tests used in the process in the recruiting process are in fact normed to the Australian population. I note that the agency advises that the complainant passed the Police Entrance Evaluation stage of the process and was advised of that fact.
51. The complainant also argues that it is in the public interest that he be given access to the documents so that he can "... *attempt to factually demonstrate that certain aspects of the Police recruiting procedures that [he was] subjected to are inherently flawed ...*".
52. I accept that there is a public interest in the agency using proper recruiting procedures. However, the complainant has not provided anything that persuades me that the disclosure of the disputed documents will assist him to demonstrate that the process in which he participated was flawed. If his argument is – as I gather it is – that the psychological test used is not a valid test, then I cannot see that he would need access to the documents concerning the application of the test to him on a particular occasion to demonstrate that the test *per se* is flawed. The complainant has submitted that, from his own studies, he is familiar with the test, claiming to have critically studied it and administered it to others himself. If, on his critical examination of it, he has formed the view that it is a flawed instrument, he should be able to demonstrate that without having to have access to documents showing its administration on one occasion.
53. If, on the other hand, his argument is that the test itself is not flawed but the way it was administered in his case was flawed, then that is a complaint that could be addressed through other avenues. I would have thought the recruitment process could be characterised as an administrative process. The Parliamentary Commissioner for Administrative Investigations ('the Ombudsman') deals with complaints about the administrative actions of government agencies, including the agency. When dealing with a complaint, the Ombudsman can require the production of documents to her in order to review the administrative process concerned. In that way the public interest in the accountability of an agency can be satisfied. If the complainant considered, on reasonable grounds, that the process as it was applied to him was flawed, then that avenue was open to him to pursue.

54. I do not consider, therefore, that – on that basis – the public interest in the accountability of agencies requires the disclosure to the complainant of the disputed documents. Further, even if that avenue were not available, I am not presently persuaded that any public interest in ascertaining whether the test was properly applied on one occasion would be sufficient to outweigh the public interest in maintaining the integrity of the test method.
55. Favours disclosure, I do recognise that there is a public interest in ensuring that the agency is accountable to the public for the decisions it makes, in this case in relation to the recruiting of police officers. That aspect of the public interest is enshrined in s.3(1)(b) of the FOI Act as one of its purposes. I also recognise that there is a public interest in access applicants being able to exercise their rights of access under the FOI Act and applicants to the agency being given as much information as is reasonably possible to help them understand the reasons why decisions directly affecting them – in this case why they have not been successful applicants – were made.
56. I note that the agency has offered the complainant the opportunity to discuss with an officer of the Recruitment Branch of the agency the reasons why his application to join the police force was not successful. In my view, the public interest in applicants being as fully informed as possible about the reasons for their applications being unsuccessful has been sufficiently satisfied in this instance by the disclosure of a large number of documents from the complainant's recruitment file and the offer from the agency for a senior officer from the Recruitment Branch to meet with him and discuss any concerns he may have.
57. Weighing against disclosure, I recognise that there is a public interest in maintaining the effectiveness of the methods and procedures used by the agency for assessing applicants to the police force and in ensuring that the objects of those procedures are not compromised. Clearly there is a public interest in the agency being able, so far as is possible, to recruit the most suitable people to serve as police officers. Police officers perform an important role in the community and are given extraordinary powers that other citizens do not have to enable them to perform that role. I recognise a public interest in ensuring, as far as possible, that those powers are given only to people who are suitable to use them appropriately. To the extent that the efficacy of psychological tests and the particular interview process concerned is necessary for the agency to recruit suitable people to enable it to properly perform its functions for the benefit of the wider community, I also recognise that as an aspect of the public interest favouring non-disclosure of the disputed documents.
58. In balancing the competing public interests, I am of the view that the public interest in maintaining the effectiveness of the psychological testing procedure, the particular interview process concerned and the police recruiting process generally, and hence the ability of the agency to carry out its functions in respect of recruiting the best possible applicants as police officers on behalf of the wider community, outweighs the public interests favouring disclosure.

## Conclusion

59. Therefore, I find that the disputed documents are exempt documents under clauses 11(1)(a) and (b) of Schedule 1 to the FOI Act. Given that finding, I need not consider the agency's claim for exemption under clause 11(1)(c).

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