

30 June 2023

John Smith

**BY EMAIL:** [foi+request-10294-8d138463@righttoknow.org.au](mailto:foi+request-10294-8d138463@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 23/05/00662

File Number: FA23/05/00662

Dear John Smith

**Freedom of Information (FOI) request – Access Decision**

On 9 May 2023, the Department of Home Affairs (the Department) received a request for access to documents under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

**1 Scope of request**

You have requested access to the following documents:

*I write to request the 2023–24 Budget estimate brief on humanitarian places.*

**2 Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate records.

**3 Relevant material**

In reaching my decision I referred to the following:

- the terms of your request
- the documents relevant to the request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from Departmental officers with responsibility for matters relating to the documents to which you sought access.

**4 Documents in scope of request**

The Department has identified six documents within the scope of your request. These documents were in the possession of the Department on 9 May 2023 when your request was received.

In addition, in accordance with section 17 of the FOI Act, the Department has used its computer system to produce two documents that contains information that falls within the scope of your request. The data produced in the documents existed in the possession of the Department on 9 May 2023 when your FOI request was received.

## Searches

In summary, the searches undertaken by the following relevant business areas and formed part of the decision.

- Humanitarian Policy Section
- Humanitarian and Child Wellbeing Policy and Capability Branch
- Refugee, Humanitarian and Settlement Division

Having regard to your request and the types of documents that may fall within the scope of your request I am satisfied that the searches conducted were extremely thorough and all reasonable steps have been taken to locate any document relevant to your request.

## 5 Decision

The decision in relation to the documents in the possession of the Department which fall within the scope of your request is as follows:

- Release one document in full. This is referred to as Document 1 in this decision letter.
- Release two documents in full with deletions under section 22(1)(a)(ii) of the FOI Act. This is referred to as Document 1.1 and 1.2 in this decision letter.
- Refuse access to three documents in full under section 4(1)(d) of the FOI Act on the basis the documents are publicly available. This is referred to as Documents 1.3 and 1.4 in this decision letter.

## 6 Reasons for Decision

Detailed reasons for my decision are set out below, and are summarised in the attached Schedule of Documents at Attachment A.

The information identified as being relevant to your request in Documents 1.3, 1.4a and 1.4b can be found on the following Department's web page, at:

- Document 1.3 [HSP CSP and CRISP Comparison document \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au/hsp-csp-and-crisp-comparison-document)
- Document 1.4a [2023-24 Home Affairs Portfolio PBS](https://www.pbs.com.au/2023-24-home-affairs-portfolio)
- Document 1.4b [Microsoft Word - Portfolio Budget Statements October 2022-23 version 22.10.2022 MASTER \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au/microsoft-word-portfolio-budget-statements-october-2022-23-version-22.10.2022-master)

Section 4(1)(d) of the FOI Act provides that a document for the purpose of the FOI Act does not include material maintained for reference purposes that is otherwise publicly available.

As the documents you have requested access to are publicly available at the web address provided above, I consider that you are not entitled to access to the document under the FOI Act.

### 6.1 Section 22 of the FOI Act – irrelevant to request

Section 22 of the FOI Act provides that if giving access to a document would disclose information that would reasonably be regarded as irrelevant to the request, it is possible for the Department

to prepare an edited copy of the document, modified by deletions, ensuring that the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request.

On 12 May 2023, the Department advised you that its policy is to exclude the personal details of officers not in the Senior Executive Service (SES), as well as the mobile and work telephone numbers of SES staff, contained in documents that fall within scope of an FOI request.

I have decided that parts of Documents 1.1 and 1.2 of your request marked 's22(1)(a)(ii)' would disclose information that could reasonably be regarded as irrelevant to your request as they relate to third party identity documents including their personal information. I have prepared an edited copy of the documents, with the irrelevant material deleted pursuant to section 22(1)(a)(ii) of the FOI Act.

## **7 Legislation**

A copy of the FOI Act is available at <https://www.legislation.gov.au/Series/C2004A02562>. If you are unable to access the legislation through this website, please contact our office for a copy.

## **8 Final decision on charge**

On 29 May 2023 the Department issued you with a notice of the preliminary charge in the amount of **\$15.00** to process your request, which includes the first five hours of decision-making at no cost.

On 4 June 2023, the Department received your request for a waiver or reduction of the charges.

On 23 June 2023, the Department issued its decision in response to your request for a waiver or reduction of the charges. The decision of the Department was to approve to waive the charges in full. The amount you were liable to pay was \$0.00.

## **9 Your Review Rights**

### Internal Review

If you disagree with this decision, you have the right to apply for an internal review by the Department of this decision. Any request for internal review must be provided to the Department within 30 days of you being notified of the decision. Where possible please attach reasons why you believe a review of the decision is necessary. The internal review will be carried out by an officer other than the original decision maker and the Department must make a review decision within 30 days.

Applications for review should be sent to:

By email to: [foi.reviews@homeaffairs.gov.au](mailto:foi.reviews@homeaffairs.gov.au)  
OR  
By mail to:  
Freedom of Information Section  
Department of Home Affairs  
PO Box 25  
BELCONNEN ACT 2617

*Review by the Office of the Australian Information Commissioner*

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/>.

## **10 Making a Complaint**

You may complain to the Australian Information Commissioner about action taken by the Department in relation to your request.

Your enquiries to the Australian Information Commissioner can be directed to:

- Phone 1300 363 992 (local call charge)
- Email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

There is no particular form required to make a complaint to the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Department of Home Affairs as the relevant agency.

## **11 Contacting the FOI Section**

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au).



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**Authorised Decision Maker  
Department of Home Affairs**



## ATTACHMENT A

### SCHEDULE OF DOCUMENTS REQUEST UNDER *FREEDOM OF INFORMATION ACT 1982*

**FOI request:** FA 23/05/00662

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No	No. of pages	Description	Decision on release	
Document 1	46	Humanitarian Program Senate Estimates Brief – Back Pocket Brief	Released in full	
Document 1.1	4	Humanitarian Dashboard	Released in full with irrelevant deletions	s22(1)(a)(ii)
Document 1.2	1	Offshore Humanitarian Program: Afghan Key Statistics	Released in full with irrelevant deletions	s22(1)(a)(ii)
Document 1.3	4	Summary of HSP, CRISP and CSP programs	Refused in full	s4
Document 1.4	2	a. Portfolio Budget Statements – Budgeted Expenses for Outcome 2   Budget October 2022-23 b. Portfolio Budget Statements – Budgeted Expenses for Outcome 2   Budget 2022-23	Refused in full	s4