



## DECISION RECORD

### Requests

1. The Department received a number of requests for access to documents relating to Operation Fortitude under the *Freedom of Information Act 1982 (FOI Act)* ('the requests'). The requests were received between 28 August and 1 September 2015.

### Background information

2. Operation Fortitude was to have been a joint operation between the Australian Border Force (**ABF**) and a diverse team of transport and enforcement agencies to target crime in the Melbourne Central Business District over the weekend of 29-30 August 2015. Following a press release issued by the Department on 28 August 2015 which gave rise to some confusion regarding the ABF's role, the operation was called off by Victoria Police. Documents falling within the scope of the requests were created in the days leading up to the press release of 28 August 2015, and the days after the cancellation of the Operation.

### Clarification regarding ABF involvement

3. After reviewing the available information, the authorised FOI decision maker, Mr Craig Farrell, concluded:

*'It has become evident to me that from the early stages of planning, that the ABF's involvement in the Victoria Police-led Operation Fortitude was to be as follows:*

- *ABF Compliance Field officers were to follow up on referrals from Victoria Police or the Victorian Taxi Directorate. On receiving these referrals, ABF Compliance Field officers would undertake visa status checks to determine compliance with visa conditions and could exercise their lawful powers conferred by the Migration Act 1958.*
- *The role of ABF Compliance Field officers during Operation Fortitude was to be the same as that undertaken in previous operations, a role which was made clear to partner agencies from the start of the planning process. There were no other roles planned for ABF Compliance Field officers during Operation Fortitude.*
- *It is evident that there was never any plan or intention for ABF Compliance Field officers to be involved in the random checking of visas or identity.*

*The ABF (and before 1 July 2015, the Department of Immigration and Border Protection) had participated in numerous operations in which Compliance Field officers performed the same role as planned in Operation Fortitude. The only element considered 'new' in the ABF's involvement in Operation Fortitude was the number and combination of agencies participating, and the public projection of that participation. There was to be no change to the role of the ABF or the functions that ABF officers would perform.*

*I note a number of draft talking points prepared by the Department are captured by the requests. The aim of the draft ABF talking points was to support the wider messaging on the operation, as provided by Victoria Police. It appears to me this led to an assumption on the part of some that the ABF might be participating in different roles or changing the way compliance with visa conditions was determined and this was untrue.*

*The ABF's preparation of a separate media release/talking point package resulted in the talking points being focused on the broader operational intent of Operation Fortitude, rather than detailing the supporting role the ABF was to actually play.'*

## **Documents**

4. Mr Farrell considered the requests to be seeking access to the same documents, which are identified at **Attachment 1**. Mr Farrell was also satisfied that adequate searches had been undertaken to locate the documents and that he had been provided with all documents relevant to the requests.

## **Authority to make decision**

5. Mr Farrell was authorised to make the decision under the arrangements approved by the Secretary of the Department of Immigration and Border Protection under section 23 of the FOI Act.

## **Decision**

6. Mr Farrell decided to refuse some material under subsection 22(1) of the FOI Act, on the grounds the exempt material is considered to be exempt under the following sections of the FOI Act:
  - Section 37 [documents affecting law enforcement and public safety]
  - Section 47B(a) [damage to relations between the Commonwealth and a State]
  - Section 47E [public interest conditional exemptions – certain operations of agencies], and
  - Section 47F [unreasonable disclosure of personal information].
7. Mr Farrell also found some material to be irrelevant to the requests under section 22 of the FOI Act [access to edited copies with exempt or irrelevant matter deleted].
8. Where the schedule of the 80 documents (comprising 287 pages), at **Attachment 1**, indicates an exemption claim has been applied to part of document, a record of Mr Farrell's findings of fact and reasons for deciding that the exemption provision applied are set out below.

## **Material taken into account**

9. Mr Farrell considered the following material in reaching his decision in relation to the requests:
  - the terms of the requests
  - the documents relevant to the requests
  - the FOI Act
  - consultation responses from third parties consulted in accordance with the FOI Act
  - Guidelines published by the Office of the Australian Information Commissioner under s 93A of the FOI Act
  - advice from other Commonwealth Departments, and
  - advice from Departmental officers with responsibility for matters relating to the documents to which access has been sought.

## **Findings and reasons for decision**

10. In making the decision, Mr Farrell carefully considered the application of the exemptions and public interest conditional exemptions. As required by the FOI Act, Mr Farrell also considered the objects

of the FOI Act, together with the public interest factors both in favour and against disclosure of the documents in part or in full.

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

11. Section 22(1)(a)(ii) of the FOI Act allows an agency to delete irrelevant material from a document which is only partially relevant to an applicant's FOI request.
12. Mr Farrell noted that when the Department wrote to each applicant to acknowledge receipt of the relevant request, the applicants were advised that it is the Department's policy 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. Mr Farrell observed that the Department did not receive a reply from any of the applicants in response to this correspondence.
13. As detailed in the schedule, at **Attachment 1**, Mr Farrell found that certain documents contained material consisting of personal details of officers not in the Senior Executive Service (SES), as well as the mobile and work telephone numbers of SES staff. Mr Farrell has decided to delete that material on the basis that it is irrelevant to the requests. Mr Farrell has also decided to delete the names and contact details of certain officers from other agencies (including Victoria Police officers) on the same basis.
14. Mr Farrell has also deleted information from a number of documents on the basis that it did not relate directly to Operation Fortitude. Mr Farrell considered that this information was not relevant to the requests.
15. Mr Farrell has decided that the irrelevant information should be deleted from the documents pursuant to section 22(1)(a)(ii) of the FOI Act. The remainder of the documents were considered by Mr Farrell for release on the basis that they were relevant to the requests.

### **Section 37(1)(b) of the FOI Act – disclosure of a confidential source**

16. Section 37(1)(b) of the FOI Act provides that a document is an exempt document if its disclosure under the FOI Act would, or could reasonably be expected to disclose, or enable a person to ascertain, the existence, identity or non-existence of a confidential source of information, in relation to the enforcement or administration of the law. The requirement that disclosure 'would, or could reasonably be expected to' reveal information about a confidential source requires more than a mere risk or possibility.
17. Mr Farrell considered that disclosure of the source named in document numbered 35 would reveal the identity of a confidential source of information. He understood that the Commonwealth had received information from the source named in document 35 in confidence and on the implied understanding that the identity of that individual or entity in providing the information will not be disclosed.
18. Mr Farrell was satisfied the source would hold a reasonable expectation that their identity would not be made known to anyone other than the Department and/or those involved in administering and enforcing the law. As a consequence, Mr Farrell noted that disclosure of the named source's identity in document 35 would result in a loss of trust and/or confidence of that source in the protection of their information. Mr Farrell concluded it was also reasonable to expect the source may be less willing to provide information to the Department in future. Mr Farrell also noted the information this source provides assists the Department in respect of its enforcement role, including in identifying and locating individuals residing in Australia illegally.
19. Taking into consideration the circumstances under which the documents were created and the nature of the information, Mr Farrell has decided that the disclosure of the name of the source of the information in document 35 would, or could reasonably be expected to, disclose the identity of a confidential source of information. Mr Farrell was satisfied that disclosure of the other information in this document would not reveal the identity of the source of information.

20. Accordingly, Mr Farrell decided to exempt in part document 35 under section 37(1)(b) of the FOI Act.

### **Section 37(2)(b) of the FOI Act – disclosure of lawful methods or procedures**

21. Section 37(2)(b) provides that a document is exempt if its disclosure would, or could reasonably be expected to:
- disclose lawful methods or procedures for detecting, investigating or dealing with matters arising out of breaches or evasions of the law, and
  - prejudice the effectiveness of those methods or procedures.
22. Mr Farrell considered that parts of certain documents, outlined in the attached schedule, contained information about the Department's lawful investigative methods and procedures in connection with its role in managing the security and integrity of Australia's borders. Mr Farrell noted the Department leads the management of risks to Australia's border in close collaboration with other government agencies, including State and Federal law enforcement agencies. As such, Mr Farrell observed the Department's role includes law enforcement functions.
23. Mr Farrell concluded the disclosure of information within these documents would be reasonably likely to impact on ongoing law enforcement methodology and also the Department's relationships both domestically and internationally. He noted these relationships support the Australian Government's law enforcement capabilities.
24. Mr Farrell considered the particular details regarding the approach, order of activity and anticipated outcomes in relation to a high profile, complex and multi-agency investigation like Operation Fortitude could be not be considered routine or well known to the public. While some of the material described in the documents may be the subject of speculation, Mr Farrell observed that disclosure of the documents would confirm authoritatively the methods, direction and manner in which such an operation is carried out. Mr Farrell noted that this, in turn, would potentially provide persons with an advantage in being able to modify their behaviour to better avoid detection in the future, thereby reducing the ability of the Department and other law enforcement agencies to protect the borders of Australia.
25. Accordingly, Mr Farrell decided that disclosure of the documents would, or could reasonably be expected to disclose lawful methods or procedures for preventing or detecting breaches or evasions of the law and that disclosure would, or would reasonably likely to, prejudice the effectiveness of those methods or procedures. On this basis, Mr Farrell decided that certain documents were exempt in part under section 37(2)(b) of the FOI Act, as outlined in the attached schedule.

### **Section 47B(a) of the FOI Act – damage to relations between the Commonwealth and a State**

26. Section 47B(a) of the FOI Act conditionally exempts a document from disclosure if disclosure would, or could reasonably be expected to, cause damage to relations between the Commonwealth and an Australian State (including a Territory).
27. Mr Farrell noted that the material over which a section 47B(a) claim has been maintained in the attached schedule would reveal the identity of a senior officer associated with Operation Fortitude from Victoria Police. Mr Farrell observed that some of these documents originated within Victoria Police and some were Departmental documents. However, in all cases it appeared to Mr Farrell that the documents which contain references to this officer's name had not been publicly released. Mr Farrell observed that the Department works closely with State and Territory law enforcement bodies on a range of matters. He was satisfied that disclosure of an officer's name against the wishes of Victoria Police would or could reasonably adversely affect the continued level of trust and cooperation in inter-office relationships between the Department and Victoria Police. Mr Farrell concluded that this could also have ramifications for the ongoing negotiations necessary to develop, coordinate and implement important multi-agency law enforcement operations in future.

28. Mr Farrell also considered that if the Department were to disclose the name of a State or Territory officer against the wishes of that State or Territory agency, this could reasonably be expected to cause damage to the Department's relationship with State and Territory law enforcement bodies more generally.
29. Mr Farrell found that certain documents listed in the schedule, at **Attachment 1**, were conditionally exempt under section 47B(a) of the FOI Act. However, Mr Farrell noted that he nonetheless would be required to give access to the documents unless, in the circumstances, access at the time of his decision would, on balance, be contrary to the public interest (subsection 11A(5) of the FOI Act). The discussion below, under the heading '*The public interest – section 11A of the FOI Act*,' records Mr Farrell's consideration of the public interest test.

### **Section 47E of the FOI Act – Operations of Agencies**

30. Section 47E(d) of the FOI Act provides that documents are conditionally exempt if disclosure would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.
31. Mr Farrell considered that the disclosure of parts of certain documents (as outlined in the attached schedule) would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of the Department.
32. Mr Farrell noted that the information contained within some of the documents would disclose contact details for operational areas within the Department that are not otherwise publicly available. Mr Farrell considered that disclosure of this information could reasonably be expected to result in potential vexatious communications and public inquires which these operational areas are not resourced to manage. Given the operational focus of those business areas, Mr Farrell concluded that such a diversion of their resources could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of the Department.
33. Mr Farrell identified that some of the documents revealed details of the Department's proposed future law enforcement activities which are not publicly known. Mr Farrell was satisfied the disclosure of parts of certain documents over which a section 47E(d) claim is maintained would also reveal sensitive operational information relating to the functions of the Department in its role as a law enforcement agency. He concluded that if the deleted information in these documents became known, individuals may be able to circumvent the activities carried out by the Department in performing its functions. Mr Farrell concluded that the remaining documents revealed information regarding the capacities or capabilities of the ABF, and specific logistical and operational information regarding the arrangements for Operation Fortitude.
34. Mr Farrell observed that managing the security and integrity of Australia's borders is integral to the operations of the Department. He concluded that any prejudice to the effectiveness of law enforcement methods or the procedures used in undertaking that role would result in a substantial adverse effect on the operations of the Department. This prejudice would result in a need for the Department, and potentially other law enforcement agencies, to change the methods and procedures used in order to avoid jeopardising their future effectiveness.
35. Accordingly, Mr Farrell decided that parts of the documents referred to above were conditionally exempt under section 47E(d) of the FOI Act. Mr Farrell noted he was also required to turn his mind to whether disclosure of the information would be contrary to the public interest. Mr Farrell's consideration of the public interest considerations required under section 11A(5) of the FOI Act is outlined below, under the heading '*The public interest – section 11A of the FOI Act*'.

## **Section 47F of the FOI Act – Documents affecting personal privacy**

36. Section 47F conditionally exempts a document to the extent that its disclosure would involve the unreasonable disclosure of personal information about any person.

### *Personal information*

Section 4 of the FOI Act provides that personal information has the same meaning as in the *Privacy Act 1988*. Personal information is defined in section 6 of the Privacy Act as:

..information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not
- (b) whether the information or opinion is recorded in a material form or not.

37. The elements of 'personal information' are:

- a) it relates only to a natural person (not, for example, a company)
- a) it says something about the individual
- b) it may be in the form of an opinion, it may be true or untrue, and it may form part of a database
- c) the individual's identity is known or is reasonably ascertainable using the information in the document.

38. Mr Farrell identified that documents 58 and 60-61 contained the personal email address of a named Departmental officer and he was satisfied that this information was personal information.

### *Disclosure unreasonable*

39. If information is personal information, it will be conditionally exempt if disclosure would be 'unreasonable'.

40. In considering whether disclosure would be unreasonable, section 47F(2) of the FOI Act required Mr Farrell to take into account:

- a) the extent to which the information is well known
- b) whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document
- c) the availability of the information from publicly accessible sources
- d) any other matter he considered relevant.

41. Mr Farrell was satisfied from the nature of the information and his own enquiries that the information in question was not well known or publicly available.

42. Mr Farrell also took into account the circumstances in which the information was obtained, and the reasonable expectation of confidentiality that the individual the information is about had. Mr Farrell noted that while the email was sent by the officer in connection with their employment with the Department, the content of the email sent by the officer was proposed for release. Mr Farrell did not think that disclosure of the personal email address (the email was sent the officer's home email) would shed any light on the workings of the Department or enhance accountability or transparency. Further, Mr Farrell concluded that such disclosure would disproportionately interfere with the privacy of the relevant officer. On that basis, Mr Farrell concluded that disclosure of the information would be unreasonable.

43. Mr Farrell found that parts of documents 58 and 60-61 were conditionally exempt in part under section 47F of the FOI Act. Nonetheless Mr Farrell acknowledged he must give access to the documents unless, in the circumstances, access at the time of making his decision would on balance be contrary to the public interest. Mr Farrell's consideration of the public interest considerations required under section 11A(5) of the FOI Act is outlined below.

### **The public interest – section 11A of the FOI Act**

44. Mr Farrell decided that parts of the documents were conditionally exempt under sections 47B(a), 47E(d) and 47F. However, Mr Farrell acknowledged that conditionally exempt matter must be released unless, in the circumstances, 'access to the document at this time would, on balance, be contrary to the public interest' (section 11A(5) of the FOI Act).
45. In assessing whether disclosure of the conditionally exempt material is, on balance, contrary to the public interest, Mr Farrell considered the Guidelines published by the Office of the Australian Information Commissioner, together with the following factors for and against giving access to the conditionally exempt material:

#### ***Factors favouring access***

46. Mr Farrell considered the factors listed in section 11B(3) of the FOI Act, being whether access to the documents would do any of the following:
- a) promote the objects of the FOI Act (including all the matters set out in sections 3 and 3A)
  - b) inform debate on a matter of public importance
  - c) promote effective oversight of public expenditure
  - d) allow a person to access his or her own personal information.
47. Mr Farrell also considered whether facilitating access to the information to members of the public would inform the community of the Government's operations and allow the public to be satisfied that proper processes had been followed by the Department in relation to Operation Fortitude. Mr Farrell noted that the documents contained no suggestion that the Department or another agency or official had engaged in misconduct or negligent, improper or unlawful conduct.
48. Mr Farrell acknowledged that there was a public interest in documents of the Department being made available to the public for the purpose of encouraging public debate and to promote oversight of the Department's activities associated with Operation Fortitude. However, to the extent the documents captured by the requests provide contextual information which would contribute to public debate, Mr Farrell considered this was achieved with the disclosure of the balance of the documents. Mr Farrell considered release of the conditionally exempt material would make no further contribution to these objectives.
49. In particular, Mr Farrell did not consider that disclosure of the name of an officer within Victoria Police would contribute in any meaningful way to the substantive public debate regarding Operation Fortitude. Similarly, Mr Farrell concluded that disclosure of the personal email address of a Departmental employee would shed no light on government operations or accountability.

#### ***Factors against disclosure***

50. Mr Farrell also considered the factors that weigh against the release of the conditionally exempt information in the documents:
- a) Disclosure of the parts of the documents that are conditionally exempt under section 47B(a) of the FOI Act, against the wishes of a State agency, could reasonably be expected to prejudice the Department's cooperative relationships with its State and Territory law enforcement counterparts. Mr Farrell gave this factor significant weight on the basis that the Department relies heavily on its good working relationships with other law enforcement bodies to perform its law enforcement functions and a break down in these cooperative relations could cause undue prejudice the security of Australia's borders.
  - b) Mr Farrell considered that the disclosure of parts of the documents that were conditionally exempt under section 47E(d) of the FOI Act could reasonably be expected to prejudice law enforcement functions and, as a result, the ability of the

Department to protect Australia's borders. Mr Farrell considered there to be a strong public interest in maintaining the Department's ability to conduct its law enforcement functions and that they were not compromised or prejudiced in any way. Mr Farrell considered that this factor weighs heavily against disclosure.

- c) Mr Farrell also considered that the disclosure of the operational email addresses he decided were conditionally exempt under s 47E(d) would have a substantial adverse effect on the ability for those operational areas to conduct their business as usual. Mr Farrell noted that the Department already has avenues in place for members of the public to contact when they have queries, complaints and comments. Mr Farrell concluded there is a strong public interest in ensuring public feedback is filtered through these available channels so that operational areas within the Department are able to carry out their functions in an effective manner. Mr Farrell considered this that this factor weighs heavily against disclosure of this conditionally exempt information.
- d) Mr Farrell concluded that disclosure of the personal email address of the Departmental employee in documents 58 and 60-61, which is conditionally exempt under section 47F of the FOI Act would unreasonably interfere with that individual's privacy.

51. Mr Farrell noted he did not take into account any of the irrelevant factors listed in section 11B(4) of the FOI Act in making his decision.

52. Upon balancing all of the above relevant public interest considerations, Mr Farrell concluded that the disclosure of the conditionally exempt information in the documents was not in the public interest and therefore exempt from disclosure under the FOI Act.



## SCHEDULE OF DOCUMENTS

Doc #	Date of document	No. of pages	Description	Decision on release
1.	23/7/2015 14:16	2	Email from Victoria Police to Department Subject: Operation FORTITUDE	Release in full with irrelevant material deleted
2.	17/8/2015 13:35	1	Email from and to Departmental officers Subject: Operation Fortitude 28th and 29th August	Release in full with irrelevant material deleted
3.	17/8/2015 13:58	3	Email to and from Departmental officers Subject: Operation Fortitude – 28 & 29 August 2015 with attachment: Operation Fortitude 28 August 2015 0600 hours	Release in part 47B(a)
4.	17/8/2015 14:12	2	Email to and from Departmental officers Subject: RE: Operation Fortitude 28th and 29th August	Release in part 37(2)(b) 47E(d)
5.	17/8/2015 15:35	2	Email to and from Departmental officers Subject: RE: Operation Fortitude - 28 & 29 August	Release in full with irrelevant material deleted
6.	17/8/2015 16:00	2	Email from Victoria Police to various agencies Subject: Operation FORTITUDE - Invitation	Release in full with irrelevant material deleted
7.	17/8/2015 16:05	3	Email to and from Departmental officers CONTAINS EMAIL FROM VICPOL DATED 17 AUGUST - INVITATION	Release in full with irrelevant material deleted
8.	18/8/2015 17:04	6	Email to and from Departmental officers Subject: Operation Fortitude: Agency spokesperson opportunity Attachments: <ul style="list-style-type: none"> <li>• Operation Fortitude 28 August 2015.docx (duplicate of Victoria Police Media Release 28 August 2015 0600 hours);</li> <li>• Operation FORTITUDE - Invitation [not included, duplicate of document #6 above]</li> </ul>	Release in part 47B(a) 47E(d)
9.	19/8/2015 08:11	1	Email to and from Departmental officers Subject: OP FORTITUDE – VICTORIA – 28/29AUG2015	Release in part 37(2)(b) 47E(d)
10.	19/8/2015 09:33	2	Email to and from Departmental officers Subject: FW: Operation Fortitude: Agency spokesperson opportunity Attachments: <ul style="list-style-type: none"> <li>• Operation Fortitude 28 August 2015 (duplicate of Victoria Police Media Release dated 28/8/2015 0600 hours)</li> <li>• Operation FORTITUDE - Invitation (duplicate of document numbered #6)</li> </ul>	Release in part 47E(d)
11.	19/8/2015 09:43	2	Email to and from Departmental officers Subject: RE: Operation Fortitude – 28 & 29 August 2015	Release in part 47B(a)

Doc #	Date of document	No. of pages	Description	Decision on release
12.	19/8/2015 09:54	2	Email to and from Departmental officers Subject: RE: OP FORTITUDE – VICTORIA 28/29AUG2015	Release in part 37(2)(b) 47E(d)
13.	20/8/2015 16:26	7	Email to and from Departmental officers Subject: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points Attachments: <ul style="list-style-type: none"> <li>• 150828 TP Operation Fortitude</li> <li>• 150828 MR Operation Fortitude</li> </ul>	Release in part 47B(a) 47E(d)
14.	21/8/2015 14:52	1	Email from Department to Victoria Police Subject: Operation FORTITUDE	Release in full with irrelevant material deleted
15.	24/8/2015 11:53	5	Email to and from Departmental officers Subject: RE: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points Attachment: <ul style="list-style-type: none"> <li>• 150828 TP Operation Fortitude</li> </ul>	Release in part 47B(a) 47E(d)
16.	24/8/2015 16:18	8	Email to and from Departmental officers Subject: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points Attachments: <ul style="list-style-type: none"> <li>• 150828 TP Operation Fortitude</li> <li>• 150828 MR Operation Fortitude</li> </ul>	Release in part 47B(a) 47E(d)
17.	24/8/2015 17:29	5	Email to and from Departmental officers Subject: RE: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points	Release in part 47B(a)
18.	26/8/2015 14:00	10	Email to and from Departmental officers Subject: FW: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points Attachments: <ul style="list-style-type: none"> <li>• 150828 TP Operation Fortitude</li> <li>• 150828 MR Operation Fortitude</li> </ul>	Release in part 47B(a) 47E(d)
19.	26/8/2015 14:10	7	Email to and from Departmental officers Subject: RE: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points Attachment: 150828 TP Operation Fortitude RC comments	Release in part 47B(a) 47E(d)
20.	26/8/2015 15:41	1	Email to and from Departmental officers Subject: Operation FORTITUDE background	Release in part 47E(d)
21.	26/8/2015 17:39	6	Email to and from Departmental officers and Minister's Office Subject: FOR INFO: Operation Fortitude Launch – Friday 28 Aug Attachments: <ul style="list-style-type: none"> <li>• 150828 TP Operation Fortitude</li> <li>• 150828 MR Operation Fortitude</li> </ul>	Release in part 47B(a) 47E(d)

Doc #	Date of document	No. of pages	Description	Decision on release
22.	27/8/2015 08:57	4	Email from Victoria Police to various agencies Subject: Operation Fortitude launch tomorrow Attachments: <ul style="list-style-type: none"> <li>• Operation Fortitude 28 August 2015 (duplicate of Victoria Police Media Release 28 August 0600hours)</li> <li>• Operation Fortitude Talking Points</li> </ul>	Release in part 47B(a)
23.	27/8/2015 11:10	6	Email to and from Departmental officers Subject: Operation Fortitude – Media Release and Talking Points Attachments: <ul style="list-style-type: none"> <li>• 150828 TP Operation Fortitude</li> <li>• 150828 MR Operation Fortitude</li> </ul>	Release in part 47B(a) 47E(d)
24.	27/8/2015 13:10	2	Email from Minister's Office to Departmental officers Subject: RE: FOR NOTING: Operation Fortitude Launch – Friday 28 Aug	Release in full with irrelevant material deleted
25.	28/8/2015 07:31	1	Email to and from Departmental officers Subject: Hot issues – Friday 28 August 2015	Release in full with irrelevant material deleted
26.	28/8/2015 11:08	1	Email to and from Departmental officers and the Minister's Office Subject: FOR NOTING: Various media enquiries on Operation Fortitude Attachments: out of scope of request	Release in full with irrelevant material deleted
27.	28/8/2015 11:37	2	Email from Minister's Office to Departmental officers Subject: RE: FOR NOTING – Various media enquiries on Operation Fortitude	Release in full with irrelevant material deleted
28.	28/8/2015 12:03	5	Email to and from Departmental officers Subject: FW: FOR URGENT CLEARANCE: Additional holding line for Operation Fortitude Attachment: 150828 TP Operation Fortitude	Release in part 47B(a) 47E(d)
29.	28/8/2015 12:21	6	Email to and from Departmental officers Subject: FW: FOR URGENT CLEARANCE: Additional holding line for Operation Fortitude Attachment: 150828 TP Operation Fortitude	Release in part 47B(a) 47E(d)
30.	28/8/2015 12:26	3	Email to and from Departmental officers Subject: RE: FOR URGENT CLEARANCE: Additional holding line for Operation Fortitude	Release in full with irrelevant material deleted
31.	28/8/2015 12:34	3	Email from the Department to the Minister's Office Subject: RE: FOR NOTING – Various media enquiries on Operation Fortitude	Release in full with irrelevant material deleted
32.	28/8/2015 12:36	2	Email to and from Departmental officers and the Minister's office Subject: FW: FOR INFO: Operation Fortitude Launch - Friday 28 Aug Attachments: 150828 TP Operation Fortitude.docx; 150828 MR Operation Fortitude.docx (duplicates)	Release in full with irrelevant material deleted

Doc #	Date of document	No. of pages	Description	Decision on release
33.	28/8/2015 12:41	7	Email from the Minister's Office to Departmental officers Subject: FW: FOR INFO: Operation Fortitude Launch – Friday 28 Aug Attachments: 150828 TP Operation Fortitude and 150828 – MR Operation Fortitude	Release in part 47B(a)
34.	28/8/2015 13:05	1	Email to and from Departmental officers Subject: Extract from this morning's DOB	Release in full with irrelevant material deleted
35.	28/8/2015 13:08	3	Email to and from Departmental officers Subject: URGENT Notification - Demonstration - Snap Action against Australian Border Force - Flinders Street Station, Melbourne, Vic - 28 August 2015 14:00	Release in part 37(1)(b) 47E(d)
36.	28/8/2015 13:12	1	Email from Department to Minister's Office Subject: Afternoon update – 28 August 2015	Release in full with irrelevant material deleted
37.	28/8/2015 13:47	1	Email to and from Departmental officers Subject: For info: Clarifying statement on Operation Fortitude	Release in full with irrelevant material deleted
38.	28/8/2015 17:04	2	Email from and to Departmental officers Subject: FW Op Fortitude TPs	Release in full with irrelevant material deleted
39.	28/8/2015 17:29	4	Email from and to Departmental officers Subject: FW: HOT ISSUES BRIEF - Media attention and protest action around Operation Fortitude	Release in part 47E(d)
40.	28/8/2015 17:36	2	Email from and to Departmental officers Subject: RE: For Clearance	Release in full with irrelevant material deleted
41.	28/8/2015 18:09	1	Email from and to Departmental officers Subject: TPs - Op Fortitude	Release in full with irrelevant material deleted
42.	28/8/2015 18:07	2	Email from and to Departmental officers Subject: RE: TPs - Op Fortitude	Release in full with irrelevant material deleted
43.	28/8/2015 18:23	2	Email from and to Departmental officers Subject: Hot Issues Brief - Media attention and protest action around Operation Fortitude	Release in part 47E(d)
44.	28/8/2015 18:47	1	Email from and to Departmental officers Subject: Initial follow-up - today's event	Release in full with irrelevant material deleted
45.	29/8/2015 09:06	2	Email from and to Departmental officers Subject: FW: Operation FORTITUDE background	Release in full with irrelevant material deleted
46.	29/8/2015 09:07	3	Email from and to Departmental officers Subject: FW: Operation Fortitude 28th and 29th August	Release in part 37(2)(b) 47E(d)
47.	29/8/2015 09:54	2	Email from and to Departmental officers Subject: FW: Operation FORTITUDE background	Release in part 47E(d)
48.	29/8/2015 09:56	3	Email from and to Departmental officers Subject: FW: Operation Fortitude 28 <sup>th</sup> and 29 <sup>th</sup> August	Release in part 37(2)(b) 47E(d)
49.	29/8/2015 10:36	1	Email from and to Departmental officers Subject: RE: Field Compliance ConOps	Release in part 47E(d)

Doc #	Date of document	No. of pages	Description	Decision on release
50.	29/8/2015 11:34	3	Email from Deputy Commissioner Policy to Secretary; Commissioner Subject: FW: FOR INFO: Operation Fortitude Launch - Friday 28 Aug Attachments: 150828 TP Operation Fortitude.docx; 150828 MR Operation Fortitude.docx (duplicates of others already included)	Release in full with irrelevant material deleted
51.	29/8/2015 12:26	2	Email from and to Departmental officers Subject: FOR INPUT / CLEARANCE: Questions - Border Force Attachment: Outside scope of request and not relevant	Release in full with irrelevant material deleted
52.	29/8/2015 12:45	3	Email from and to Departmental officers Subject: RE: FOR INPUT / CLEARANCE: Questions - Border Force	Release in full with irrelevant material deleted
53.	29/8/2015 12:53	2	Email from and to Departmental officers Subject: RE: FOR INPUT / CLEARANCE: Questions - Border Force	Release in full with irrelevant material deleted
54.	29/8/2015 12:53	3	Email from and to Departmental officers Subject: RE: Field Compliance ConOps	Release in full with irrelevant material deleted
55.	29/8/2015 13:13	2	Email from and to Departmental officers Subject: Initial Invitation from VICPOL	Release in full with irrelevant material deleted
56.	29/8/2015 13:55	2	Email from and to Departmental officers Subject: FW: OP FORTITUDE – VICTORIA – 28/29AUG2015	Release in part 37(2)(b) 47E(d)
57.	29/8/2015 14:13	2	Email from and to Departmental officers Subject: Operation Fortitude Timeline of Events Attachments: <ul style="list-style-type: none"> <li>• Operation Fortitude - 28 &amp; 29 August (duplicate of document #3)</li> <li>• RE: Operation Fortitude – 28 &amp; 29 August (duplicate of document #5)</li> <li>• Operation Fortitude: Agency spokesperson opportunity (duplicate of document #8)</li> <li>• FW: Operation Fortitude: Agency spokesperson opportunity [SEC=PROTECTED]; (duplicate of document #10)</li> <li>• RE: Operation Fortitude - 28 &amp; 29 August (duplicate of document #11)</li> <li>• RE: OP FORTITUDE - VICTORIA - 28/29AUG2015 (duplicate of document #12)</li> <li>• FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #13)</li> <li>• RE: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #15)</li> <li>• FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #16)</li> </ul>	Release in full with irrelevant material deleted

Doc #	Date of document	No. of pages	Description	Decision on release
			<ul style="list-style-type: none"> <li>• RE: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #17)</li> <li>• FW: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #18)</li> <li>• RE: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #19)</li> <li>• FOR INFO: Operation Fortitude Launch - Friday 28 Aug (duplicate of document #21)</li> <li>• Operation Fortitude launch tomorrow(duplicate of document #22)</li> <li>• Operation Fortitude - Media Release and Talking Points (duplicate of document #23)</li> <li>• RE: FOR NOTING: Operation Fortitude Launch - Friday 28 Aug (duplicate of document #24)</li> <li>• Hot issues - Friday, 28 August 2015 (duplicate of document #25)</li> </ul>	
58.	29/8/2015 15:21	4	Email from and to Departmental officers Subject: FW: No Subject Attachment: Operation Fortitude	Release in part 47F
59.	29/8/2015 16:18	3	Email from and to Departmental officers Subject: RE: Chronology - Planning for Operation Fortitude	Release in part 37(2)(b) 47E(d)
60.	29/8/2015 16:30	2	Email from Secretary to Commissioner Subject: RE: No subject	Release in part 47F
61.	29/8/2015 16:31	2	Email from Secretary to Commissioner Subject: RE: No subject	Release in part 47F
62.	29/8/2015 17:05	4	Email from Secretary to Commissioner Subject: RE: FOR INFO: Operation Fortitude Launch - Friday 28 Aug	Release in full with irrelevant material deleted
63.	29/8/2015 18:36	5	Email from and to Departmental officers Subject: RE: Chronology - Planning for Operation Fortitude	Release in part 37(2)(b) 47E(d)
64.	30/08/2015 11:05	6	Email from and to Departmental officers Subject: RE: Chronology - Planning for Operation Fortitude Attachments: <ul style="list-style-type: none"> <li>• RE: FOR URGENT CLEARANCE: Additional holding line for Operation Fortitude (duplicate of document #30);</li> <li>• FW: HOT ISSUES BRIEF - Media attention and protest action around Operation Fortitude (duplicate of document #39);</li> <li>• RE: For clearance (duplicate of document #40).</li> </ul>	Release in part 37(2)(b) 47E(d)

Doc #	Date of document	No. of pages	Description	Decision on release
65.	30/8/2015 14:02	4	Email from and to Departmental officers Subject: Chronology - Planning for Operation Fortitude Attachments: <ul style="list-style-type: none"> <li>• RE: Operation Fortitude 28th and 29th August (duplicate of document #4)</li> <li>• FW: Operation Fortitude: Agency spokesperson opportunity (duplicate of document #10)</li> <li>• FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #13)</li> <li>• RE: FOR CLEARANCE: Operation Fortitude Media Release and Talking Points (duplicate of document #15)</li> <li>• Operation Fortitude - Media Release and Talking Points (duplicate of document #23)</li> <li>• RE: FOR URGENT CLEARANCE: Additional holding line for Operation Fortitude (duplicate of document #30)</li> <li>• FW: HOT ISSUES BRIEF – Media attention and protest action around Operation Fortitude (duplicate of document #39)</li> <li>• RE: For clearance (duplicate of document #40)</li> </ul>	Release in full with irrelevant material deleted
66.	31/8/2015 08:39	8	Email from and to Departmental officers Subject: RE: Chronology - Planning for Operation Fortitude Attachment: Operation Fortitude Timeline of Events (duplicate of document #57)	Release in part 37(2)(b) 47E(d)
67.	31/8/2015 10:39	7	Email from and to Departmental officers Subject: FW: Urgent talking points for the Minister's Office: Compliance operations Attachment: 150830 TP Compliance Operations (duplicate)	Release in full with irrelevant material deleted
68.	31/8/2015 11:01	7	Email from and to Departmental officers Subject: Urgent talking points for the Minister's Office: Compliance operations Attachment: 150830 TP Compliance Operations (duplicate)	Release in full with irrelevant material deleted
69.	31/8/2015 11:02	8	Email from and to Departmental officers Subject: RE: Urgent talking points for the Minister's Office: Compliance operations	Release in full with irrelevant material deleted
70.	31/8/2015 11:17	8	Email from and to Departmental officers Subject: RE: Urgent talking points for the Minister's Office: Compliance operations	Release in full with irrelevant material deleted
71.	31/8/2015 12:37	8	Email from and to Departmental officers Subject: RE: Urgent talking points for the Minister's Office: Compliance operations	Release in full with irrelevant material deleted
72.	31/8/2015 13:05	9	Email from and to Departmental officers Subject: RE: Urgent talking points for the Minister's Office: Compliance operations	Release in full with irrelevant material deleted

<b>Doc #</b>	<b>Date of document</b>	<b>No. of pages</b>	<b>Description</b>	<b>Decision on release</b>
73.	31/8/2015 13:09	10	Email from and to Departmental officers Subject: FW: Urgent talking points for the Minister's Office: Compliance operations	Release in full with irrelevant material deleted
74.	31/8/2015 14:33	2	Email from and to Departmental officers Subject: RE: Previous MR for Operations	Release in full with irrelevant material deleted
75.	31/8/2015 16:22	5	Email from and to Departmental officers Subject: Op Fortitude Attachments: DIBP - Submission Template - Op Fortitude	Release in full with irrelevant material deleted
76.	31/8/2015 16:40	2	All staff message from Commissioner Subject: Message from the Commissioner - Media coverage regarding Operation Fortitude	Release in full
77.	31/8/2015 17:36	4	Email from and to Departmental officers Subject: Draft Min Sub Attachment: DIBP - Submission - Op Fortitude	Release in full with irrelevant material deleted
78.	31/8/2015 18:06	4	Email from and to Departmental officers Subject: RE: Draft Min Sub Attachment: 310815 DIBP – Submission – Op Fortitude	Release in full with irrelevant material deleted
79.	31/8/2015 18:16	4	Email from and to Departmental officers Subject: Can you clear please Attachment 310815 DIBP - Submission - Op Fortitude final	Release in full with irrelevant material deleted
80.	31/8/2015 18:19	1	Email from and to Departmental officers Subject: RE: Can you clear please	Release in full with irrelevant material deleted