



FREEDOM OF INFORMATION

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ABN 17 884 931 143

Our ref: CRM2016/478

10 May 2016

James Smith
Via email: foi+request-1801-74b9f9da@righttoknow.org.au

Dear Mr Smith,

Freedom of Information request

I refer to your application dated 7 April 2016, under the *Freedom of Information Act 1982* (the Act) seeking the following:


- "1. The number of outstanding Interpol Red Notices against Australian Citizens issued by the Australian Authorities through Interpol NCB Canberra;*
- 2. The number of Interpol Blue Notices issued by Interpol NCB Canberra against Australian Citizens since 1/01/2012."*

Attached at Annexure A to this letter is my decision and statement of reasons for that decision. A "Schedule of Documents" identified as falling into the scope of your request is at Annexure B.

Information Publication Scheme (IPS)

As notified to you on 8 April 2016 and in accordance with section 11C of the Act, it has been decided to publish the documents in full in respect of your request. Publication of the documents and any relevant documents will be made on the AFP website at <http://www.afp.gov.au/about-the-afp/information-publication-scheme/routinely-requested-information.aspx> between 5 and 10 days after notification of this decision.

Yours sincerely,



Nathan Scudder
Coordinator
Freedom of Information
Australian Federal Police

STATEMENT OF REASONS RELATING TO A FOI REQUEST BY JAMES SMITH

I, Nathan Scudder, Coordinator, Freedom of Information Team, am an officer authorised under section 23 of the Act to make decisions in relation to the Australian Federal Police.

What follows is my decision and reasons for the decision in relation to your application.

BACKGROUND

On 7 April 2016, this office received your application in which you requested:

- "1. The number of outstanding Interpol Red Notices against Australian Citizens issued by the Australian Authorities through Interpol NCB Canberra;*
- 2. The number of Interpol Blue Notices issued by Interpol NCB Canberra against Australian Citizens since 1/01/2012."*

SEARCHES

In relation to this request, a search of all records held by the relevant line areas within the AFP was undertaken.

DECISION

I note that the *Freedom of Information Act 1982* provides for access to documents in an agency's possession. Please be advised that in our search for documents in relation to your request, it has become apparent that the information you are seeking is not readily available in a discreet form nor can it easily be produced by interrogating any AFP database.

I understand that under the Act, there is no requirement for an agency to create a document for the purposes of responding to a request. However, in order to provide you with a response and promote the objects of the Act, the AFP has collated information relating to point one of your request, into a one page document. That document is now provided to you, in good faith, as a response to your request. In regards to point two of your request, the responsible line area was not able to easily produce a response that would satisfy your request.

A schedule of the document and details of my decision in relation to the document is at Annexure B.

I have decided that the documents itemised at Annexure B is released to you in its entirety.

WAIVER OF CHARGES

Further, given that the request has totalled only one page and was not a complex request to process, I am waiving any further fees and charges which are normally associated with the processing of applications under the Act.

EVIDENCE/MATERIAL ON WHICH MY FINDINGS WERE BASED

In reaching my decision, I have relied on the following documentary evidence:

- ❖ the scope of your application;
- ❖ the contents of the documents listed in the attached schedule;
- ❖ advice from AFP officers with responsibility for matters relating to the documents to which you sought access;
- ❖ *Freedom of Information Act 1982*;
- ❖ Guidance material issued by the Department of Prime Minister and Cabinet; and
- ❖ Guidelines issued by the Office of the Australian Information Commissioner.

REVIEW RIGHTS

If you are dissatisfied with this decision you can apply for internal or Information Commissioner (IC) Review. You do not have to apply for Internal Review before seeking IC review.

REVIEW RIGHTS under Part VI of the Act: Internal Review by the AFP

Section 53A of the Act gives you the right to apply for an internal review in writing to this Department within 30 days of being notified of this decision.

No particular form is required but it would assist the decision-maker were you to set out in the application, the grounds on which you consider that the decision should be reviewed.

Applications for a review of the decision should be addressed to:

Freedom of Information Team
Australian Federal Police
GPO Box 401
Canberra ACT 2601

REVIEW RIGHTS under Part VII of the Act: Review by the Information Commissioner (IC)

Alternatively, Section 54L of the Act gives you the right to apply directly to the IC or following an internal review by the AFP. In making your application you will need to provide an address for notices to be sent (this can be an email

address) and a copy of the AFP decision. It would also help if you set out the reasons for review in your application.

Section 54S of the Act provides for the timeframes for an IC review submission. For an *access refusal decision* covered by subsection 54L(2), the application must be made within 60 days. For an *access grant decision* covered by subsection 54M(2), the application must be made within 30 days.

Applications for a review of the decision should be addressed to:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001

Right to Complain

Section 70 of the Act provides that a person may complain to the IC about action taken by this Department in relation to your application.

A complaint to the IC may be made in writing and identify the agency against which the complaint is made.

The IC may be contacted on 1300 363 992. There is no particular form required to make a complaint, but the complaint should set out the grounds on which you consider the action should be investigated.

**SCHEDULE OF DECISION – CRM 2016/478
RELEASE OF DOCUMENTS – JAMES SMITH**

Document No	Folio No	Date	Author	Description	Exemption	Reason
1	1		Australian Federal Police (AFP)	Document created to respond to FOI	Released in full: Folios: 1	

Authorised Decision Maker:

Nathan Scudder
Coordinator
Freedom of Information
Australian Federal Police



Date of Decision: 10 May 2016

THIS DOCUMENTS HAS BEEN CREATED FOR THE PURPOSES OF RESPONDING TO A FREEDOM OF INFORMATION REQUEST

1. The number of outstanding INTERPOL Red Notices against Australian Citizens issued by the Australian Authorities through INTERPOL NCB Canberra

There are 12 INTERPOL Red notices issued against Australian Citizens by Australian authorities.

(this information is current as at 20 April 2016)

THIS DOCUMENT IS DE-CLASSIFIED
AND RELEASED BY THE
AUSTRALIAN FEDERAL POLICE
UNDER THE
FREEDOM OF INFORMATION ACT 1982