



Canberra Office
ABS House
45 Benjamin Way
Belconnen ACT 2617
Phone 1300 135 070

Locked Bag 10
Belconnen ACT 2616
www.abs.gov.au
ABN 26 331 428 522



FOI Ref: 201617/42

Mr Alfie John
Email: foi+request-2302-ac474625@righttoknow.org.au

Dear Mr John

RE: YOUR FREEDOM OF INFORMATION REQUEST

I refer to your email dated 14 October 2016 ([Attachment A](#)). The consultation period for revising the scope of your request for access to documents in the possession of the Australian Bureau of Statistics (the ABS) in accordance with the *Freedom of Information Act 1982* (the FOI Act) has now expired.

Your final request dated 13 October 2016 ([Attachment B](#)) sought access to information and documents relating to the following:

HIGHEST PRIORITY:

- Email correspondence created or received by ABS staff between the 8th of August 2016 to at least the 15th of September 2016 containing the words "malicious", "hack", "hacked", "Russia", or "China"

MEDIUM PRIORITY:

- A graph of aggregated (i.e anonymised) web request counts to the ABS web servers, between June 2016 to at least the 15th of September 2016
- A graph of aggregated (i.e anonymised) web request byte counts to the ABS web servers between June 2016 to at least the 15th of September 2016

Note: These graphs already exist within the ABS' web team's or their NOC's (Network Operations Center) server monitoring systems. As such, this should take minimal time to retrieve

LOW PRIORITY:

- Statement of Work, and Master Service Agreement, between the ABS and ABS' DDoS Mitigation provider(s)

Response to your request

I am an authorised decision maker under section 23 of the FOI Act.

I have assessed your revised request and believe that a practical refusal reason still exists.

In accordance with Section 24 of the FOI Act, I have decided that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of the agency from its other operations.

This view is based on information that I received from the business area that holds the documents.

Internal Review of the Decision

Section 54 of the FOI Act gives you the right to apply for an internal review of the decision by the ABS. Additionally, you may request a review of this decision by the Information Commissioner. Details of both procedures involved in an application to review a decision are set out at [Attachment C](#).

The ABS FOI Team can be reached by email at freedomofinformation@abs.gov.au or by telephone on (02) 6252 7203.

Yours sincerely



Christine Williams
Program Manager
Governance & Parliamentary Liaison Branch
Australian Bureau of Statistics
// November 2016

ATTACHMENT A

From: Alfie John <foi+request-2302-ac474625@righttoknow.org.au>
To: Emily Covington <emily.covington@abs.gov.au>,
Date: 14/10/2016 10:13 AM
Subject: Re: Your FOI request

Dear Emily Covington,

"we need your agreement today (14 October 2016) in order to extend the consultation period to 21 October 2016"

Yes, please extend the consultation period.

Yours sincerely,

Alfie John

-----Original Message-----

Dear Mr John

In response to your correspondence to the FOI Contact Officer on 13 October 2016 where you had narrowed the initial scope of your FOI request, the first part of your request is likely to be very large as the scope is all ABS staff and there is no restriction on time period. Therefore we recommend that you narrow your request by (1) specifying a date range and (2) specifying specific staff or areas (e.g. IT staff, Census staff).

As per an earlier email sent to you on 10 October 2016, we need your agreement today (14 October 2016) in order to extend the consultation period to 21 October 2016 (7 calendar days), otherwise the consultation period will end today.

Kind Regards

FOI Contact Officer

Australian Bureau of Statistics

(P) (02) 6252 7203

(E) [1][ABS request email] (W) [2]www.abs.gov.au

References

Visible links

1. [mailto:\[ABS request email\]](mailto:[ABS request email])
2. <http://www.abs.gov.au/>

Please use this email address for all replies to this request:
foi+request-2302-ac474625@righttoknow.org.au

This request has been made by an individual using Right to Know. This message and any reply that you make will be published on the internet. More information on how Right to Know works can be found at:
<https://www.righttoknow.org.au/help/officers>

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

ATTACHMENT B

From: Alfie John <foi+request-2302-ac474625@righttoknow.org.au>
To: Wolfgang Hertel <wolfgang.hertel@abs.gov.au>,
Date: 13/10/2016 11:31 PM
Subject: Re: Your FOI request

Dear Wolfgang Hertel,

Thank you for reminding me that I'm supposed to be requesting documents rather than asking for questions to be answered.

I have narrowed the initial scope of my FOI request. I request the following.

HIGHEST PRIORITY:

- Email correspondence created or received by ABS staff between the 8th of August 2016 to at least the 15th of September 2016 containing the words "malicious", "hack", "hacked", "Russia", or "China"

MEDIUM PRIORITY:

- A graph of aggregated (i.e anonymised) web request counts to the ABS web servers, between June 2016 to at least the 15th of September 2016
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LOW PRIORITY:

- Statement of Work, and Master Service Agreement, between the ABS and ABS' DDoS Mitigation provider(s)

Again, thank you.

Sincerely,

Alfie John

-----Original Message-----

Dear Mr John

Following your correspondence to the FOI Contact Officer on 30 September 2016, I have reviewed your narrow scope and consulted with relevant business areas within the ABS. At this time, I am of the opinion that your request continues to fall into scope of a practical refusal. I recommend that you consider the following options to guide you in further refining your request such that a practical refusal reason no longer exists.

Firstly, components of your request are posed as questions and I recommend that, as per the FOI Act, you request specific documents so that the ABS can more effectively identify the information that you seek. Secondly, if you are able to prioritise the components of your request, the ABS FOI team can then inform you at what stage the request falls into scope for practical refusal. This will afford you the best likelihood of receiving the information that you desire most.

Given that it has taken some time for the ABS to respond to your narrowed scope, and subject to your agreement, I am prepared to extend the consultation period by 7 calendar days so that you must respond to this notice by 21 October 2016.

If you do not provide your agreement then the consultation period will end on 14 October 2016.

Kind Regards

FOI Contact Officer

Australian Bureau of Statistics

(P) (02) 6252 7203

(E) [1][ABS request email] (W) [2]www.abs.gov.au

The [3]ABS Privacy Policy outlines how the ABS handles any personal information that you provide to us.

References

Visible links

1. [mailto:\[email address\]](mailto:[email address])
2. <http://www.abs.gov.au/>
3. <http://www.abs.gov.au/privacy>

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INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

If you disagree with our decision you have the right to apply for an internal review under section 54 of the FOI Act.

Application for a review of the decision must be made within 30 days of receipt of this letter.

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.

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

ABS FOI Contact Officer
Policy, Legislation and Assurance Section
Australian Bureau of Statistics
Locked Bag 10
BELCONNEN ACT 2617

OR

2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

Applications for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
Office of the Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

AND/OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.