



2 December 2016

Reference numbers

FOI Request FA 16/11/00189

File Number ADF2016/65920

Mr Ben Fairless

Sent via email: foi+request-2550-0b3ef691@righttoknow.org.au

Freedom of Information request – decision on request

Dear Mr Fairless,

This letter refers to your request received on 2 November 2016 seeking access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

- 1) *A copy of the most current configuration settings for janusSEAL. This is an off the shelf product being used by DIBP to classify emails. janusSEAL allows the department to correctly classify emails in line with the Australian Government security classification system.*
- 2) *A copy of any correspondence in the last 3 years sent to all DIBP staff in relation to janusSEAL. This may not reference the product by name, but may be a notification sent across the agency or training piece on how to correctly classify emails, or, for example, what will happen if you try to send an email classified as FOUO, PROTECTED or SECRET to a non .gov.au email address.*

Decision

The Department's decision is to release the documents in part. Please see the attached Decision Record, which explains the reasons for decision as required under s.26 of the FOI Act.

Review rights

Internal review

If you disagree with the decision, you have the right to apply for an internal review by the Department. 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 review 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:

Freedom of Information
Department of Immigration and Border Protection
PO Box 25
BELCONNEN ACT 2617

Or by email to: foi.reviews@border.gov.au

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 the decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a review request to the OAIC, please see FOI fact sheet 12 '*Freedom of information – Your review rights*', available online at www.oaic.gov.au.

How to make a complaint about the handling of this FOI request

You may complain to the Australian Information Commissioner if you have concerns about how the department has handled your request under the FOI Act. Information about how to submit a complaint is available at www.oaic.gov.au

Contacting the FOI Section

If you wish to discuss this matter, I can be contacted using the details provided below.

Yours sincerely,

Brad Collins
Freedom of Information Officer
Information Management Branch
Department of Immigration and Border Protection
foi@border.gov.au

Attachments

- Attachment A – Decision Record
- Attachment B – Schedule of Documents
- Attachment C – Extract of relevant legislation
- Attachment D – Documents released under the FOI Act



Attachment A

DECISION RECORD

Request Details

FOI Request FA 16/11/00189
File Number ADF2016/65920

Scope of request

1. On 20 June 2016 you requested:
 - 1) *A copy of the most current configuration settings for janusSEAL. This is an off the shelf product being used by DIBP to classify emails. janusSEAL allows the department to correctly classify emails in line with the Australian Government security classification system.*
 - 2) *A copy of any correspondence in the last 3 years sent to all DIBP staff in relation to janusSEAL. This may not reference the product by name, but may be a notification sent across the agency or training piece on how to correctly classify emails, or, for example, what will happen if you try to send an email classified as FOUO, PROTECTED or SECRET to a non .gov.au email address.*

Authority to make decision

2. 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 Departmental records.

Information considered

3. In reaching my decision, I have considered the following:
 - the terms of your request
 - the *Freedom of Information Act 1982*
 - the Australian Information Commissioner's guidelines relating to access to documents held by government
 - Departmental documents, identified in the Schedule of Documents
 - consultations with relevant business areas.

Decision

4. Section 22(2) of the FOI Act provides that, where an agency reaches the view that a document contains exempt information or material that is irrelevant to the request and it is possible for the agency to prepare an edited copy of the document with the irrelevant or exempt material deleted, then the agency must prepare such a copy.

5. This edited copy must be provided to the applicant. Further, the decision maker must advise the applicant in writing that the edited copy of the document has been prepared and of the reasons(s) for each of the deletions in the document (s.22(3) of the FOI Act).
6. The Schedule of Documents (Attachment B) and the documents released detail the exemptions that have been applied. Exemptions were applied on the following grounds:

Section 47E(d) – have a substantial adverse effect on the proper and efficient conduct of the operations of an agency

7. Section 47E(d) provides that a document is conditionally exempt if its disclosure under the Act would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.
8. The document relating to Part 1 of your request (the configuration file) contains IT security settings for the Department's email systems.
9. Releasing this file would effectively create a map for part of the Department's IT security settings for anyone who wish to infiltrate the Department's IT systems. While there are systems in place to detect and prevent this from occurring, meaning the risk is relatively low, the consequences for such an incursion would be significant if it did occur.
10. On this basis, I am satisfied that information contained in the document could reasonably be expected to adversely affect the Department's operations in respect of maintaining network security. I find this adverse effect to be serious and not insubstantial. Therefore, I am satisfied that the material in issue is conditionally exempt under s.47E(d) of the Act.
11. I note that while some parts of this file could likely be released without harm, due to the technical nature of the material, it would be virtually impossible to be certain that a partially redacted document contained no information that would be harmful to the Department. I therefore consider it prudent in this case to exempt the document in full.
12. One of the emails relating to Part 2 of your request contains internal methods of communication (email addresses and telephone numbers). These are made available to employees of the Department so that they can seek advice on security issues, in order for the Department to fulfil its function in a proper and efficient manner.
13. While these contact methods are made available to employees, they are not made publicly available. I have considered the effect that publicly releasing these contact channels would have, and it would be to create alternate and unsuitable methods for members of the public to contact the Department. This would have the dual effect of creating unnecessary work for Departmental employees while they redirect enquiries, as well as causing unnecessary delays for clients who should be utilising established channels of communications.
14. On this basis, I am satisfied that information contained in the documents could reasonably be expected to cause unnecessary work for Departmental employees, taking them away from their required duties, and decreasing the Department's ability to function properly and efficiently. Therefore, I am satisfied that the material in issue is conditionally exempt under s.47E(d) of the Act.

Application of the 'public interest' test

15. Although I have found that the information contained in the document you requested is conditionally exempt from release under s.47E(d), the FOI Act requires me to disclose

the information unless access at this time would, on balance, be contrary to the public interest. I will now consider whether disclosure would be contrary to the public interest.

16. The factors favouring access to information are provided at s.11B of the FOI Act:

Factors favouring access

- (3) *Factors favouring access to the document in the public interest include whether access to the document would do any of the following:*
- (a) *promote the objects of this 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.*

17. I acknowledge that release of the document without the exemptions made under s.47E(d) would promote the objects of the FOI Act, through facilitating and promoting public access to information.

18. However, I consider that the release of the information would make a negligible further contribution to public debate, would not promote effective oversight of public expenditure or allow a person to gain access to his or her own personal information.

19. In contrast, I consider that the ability for the Department to safeguard client and operational information contained on its IT systems to be strongly in the public interest.

20. I further consider that the ability for the Department to maintain effective and efficient communication channels, particularly when compromising these channels would have negative flow-on effects for clients,

21. Taking into account the above matters, on balance, I consider that disclosure of the information in the documents exempted under s.47E(d) to be contrary to the public interest. Accordingly, I have decided that the documents are exempt in part under s.47E(d) of the FOI Act. The exemptions have therefore been applied to the documents released.

Brad Collins
Authorised decision maker
Department of Immigration and Border Protection
Email: foi@border.gov.au

2 December 2016



Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 16/11/00189
File Number ADF2016/65920

No.	Pages	Description	Relevant legislation (FOI Act)	
1.	1-2	Email (13 March 2015)	Exempted in part	s.47E(d)
2.	3-4	Email (15 May 2015)	Released in full	-
3.	-	Configuration file	Exempted in full	s.47E(d)

Attachment C – Extract of relevant legislation

22 Access to edited copies with exempt or irrelevant matter deleted

Scope

- (1) This section applies if:
 - (a) an agency or Minister decides:
 - (i) to refuse to give access to an exempt document; or
 - (ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access; and
 - (b) it is possible for the agency or Minister to prepare a copy (an **edited copy**) of the document, modified by deletions, ensuring that:
 - (i) access to the edited copy would be required to be given under section 11A (access to documents on request); and
 - (ii) the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request; and
 - (c) it is reasonably practicable for the agency or Minister to prepare the edited copy, having regard to:
 - (i) the nature and extent of the modification; and
 - (ii) the resources available to modify the document; and
 - (d) it is not apparent (from the request or from consultation with the applicant) that the applicant would decline access to the edited copy.

Access to edited copy

- (2) The agency or Minister must:
 - (a) prepare the edited copy as mentioned in paragraph (1)(b); and
 - (b) give the applicant access to the edited copy.

Notice to applicant

- (3) The agency or Minister must give the applicant notice in writing:
 - (a) that the edited copy has been prepared; and
 - (b) of the grounds for the deletions; and
 - (c) if any matter deleted is exempt matter—that the matter deleted is exempt matter because of a specified provision of this Act.
- (4) Section 26 (reasons for decision) does not apply to the decision to refuse access to the whole document unless the applicant requests the agency or Minister to give the applicant a notice in writing in accordance with that section.

47E Public interest conditional exemptions—certain operations of agencies

A document is conditionally exempt if its disclosure under this Act would, or could reasonably be expected to, do any of the following:

- (a) prejudice the effectiveness of procedures or methods for the conduct of tests, examinations or audits by an agency;

- (b) prejudice the attainment of the objects of particular tests, examinations or audits conducted or to be conducted by an agency;
- (c) have a substantial adverse effect on the management or assessment of personnel by the Commonwealth, by Norfolk Island or by an agency;
- (d) have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

Note: Access must generally be given to a conditionally exempt document unless it would be contrary to the public interest (see section 11A).

11B Public interest exemptions—factors

(1) This section applies for the purposes of working out whether access to a conditionally exempt document would, on balance, be contrary to the public interest under subsection 11A(5).

(2) This section does not limit subsection 11A(5).

Factors favouring access

(3) Factors favouring access to the document in the public interest include whether access to the document would do any of the following:

- (a) promote the objects of this 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.

Irrelevant factors

(4) The following factors must not be taken into account in deciding whether access to the document would, on balance, be contrary to the public interest:

- (a) access to the document could result in embarrassment to the Commonwealth Government, or cause a loss of confidence in the Commonwealth Government;

- (aa) access to the document could result in embarrassment to the Government of Norfolk Island or cause a loss of confidence in the Government of Norfolk Island;

- (b) access to the document could result in any person misinterpreting or misunderstanding the document;

- (c) the author of the document was (or is) of high seniority in the agency to which the request for access to the document was made;

- (d) access to the document could result in confusion or unnecessary debate.

Guidelines

(5) In working out whether access to the document would, on balance, be contrary to the public interest, an agency or Minister must have regard to any guidelines issued by the Information Commissioner for the purposes of this subsection under section 93A.

Brad COLLINS

From: All Staff Message [CO]
Sent: Friday, 13 March 2015 11:50 AM
To: [All ACBPS Staff]
Subject: All staff message—Outlook Autofill changes [DLM=For-Official-Use-Only]
Attachments: image001.jpg

Integrity, Security and Assurance Division

Outlook Autofill changes

Colleagues,

Over the weekend of 14 and 15 March the Outlook address autofill function on the DIBP and ACBPS email systems will be permanently turned off.

Some staff have accidentally sent email to the wrong people and disabling this function will help to stop this from happening again.

After the change you will need to manually add recipients to any new email you create. This change won't affect the 'reply' or 'reply all' functions, so please check that you don't accidentally add email recipients who shouldn't be included.

When you create a new email, you can still select an internal address from the internal address book, but external email addresses will need to be entered manually. Group mailboxes and individuals can still develop their own contact lists to manage commonly used email addresses.

Overseas staff when logging in through Citrix will also find the Outlook autofill function disabled. No change is being made to the DFAT email system.

If you are sending email to overseas posts please select the email address with the suffix (DFAT).

This will ensure they will receive the email and reply to you promptly.

Think about the content of the emails you create. Protective markings are an important part of protecting our information.

We are all responsible for preventing people who don't have a need to know, or the appropriate security clearance from accidentally receiving information.

For further information contact:

Telephone: s. 47E(d)

Email: s. 47E(d)@immi.gov.au

IT Support Portal: <http://itsupport>

Telephone: s. 47E(d)

Telephone: s. 47E(d)

Email: s. 47E(d)@immi.gov.au

Email: s. 47E(d)@customs.gov.au

Glenn Peisley
Assistant Secretary Security
Integrity, Security and Assurance Division
Corporate Group | Immigration and Border Protection Portfolio

Brad COLLINS

From: All Staff Message [CO]
Sent: Friday, 15 May 2015 10:59 AM
To: [All ACBPS Staff]
Subject: All staff message—Changes to email security [DLM=For-Official-Use-Only]
Attachments: image001.jpg

Integrity, Security and Assurance Division

Changes to email security

In March 2015, changes to the DIBP and ACBPS email systems removed the autofill function in Outlook after several email-related security incidents. Since those changes were implemented, ongoing discussions considered options to further refine the Portfolio's email security.

New security functionality will take effect on Monday, 18 May, re-enabling the email address autofill function and including some additional features.

The changes will:

- check all outbound emails and seek confirmation before the email is sent for any message recipients who do not have a '.gov.au' email address
- stop emails marked 'PROTECTED' from being sent to an email address that is not registered with Fedlink as a protected email domain
- restore the autofill function for email addresses.

This revised functionality will retain email security across the Portfolio while minimising impact on business processes. Overseas staff, when logging in through Citrix will also receive these changes. No change is being made to the DFAT email system.

These changes do not remove the need for staff to consider the content and the addresses of the email. Protective markings are an important part of protecting our information. We all carry the responsibility to ensure that people who don't have a need to know or the appropriate security clearance do not accidentally receive information.

For this update to take effect you will need to reboot your PC or laptop after 10am on Monday, 18 May.

Once the update is complete, if you attempt to send an email to an address that doesn't end in '.gov.au', an on-screen 'pop-up' will provide you with an opportunity to send the email as it is or return to the message to change the address details.

For DIBP email accounts, attempting to send emails marked 'PROTECTED' to a non-protected email domain, the outgoing email policy warning will force you to correct the message.

For Corpnet email accounts, attempting to send emails marked 'PROTECTED' to a non-protected email

domain, the outgoing protected email policy warning will either remove the invalid address from the email, or force you to return to the message to correct the address list.

Authorised for transmission by

Glenn Peisley

Assistant Secretary Security

Integrity, Security and Assurance Division