



**Australian Government**  
**Department of Immigration and Citizenship**

23 July 2013

FOI Request FA 13/07/00163  
File Number ADF2013/20185

Dear Applicant

**Freedom of Information request – Request deemed withdrawn**

This letter refers to an access request received under the *Freedom of Information Act 1982* (the FOI Act) between 24 June and 5 July 2013 for documents about incidents in immigration detention.

On 5 July 2013 I wrote to you advising that your request was one of 21 valid requests received by the Department of Immigration and Citizenship (the department) during that period. With duplicate requests removed the total number of unique incidents requested in that period was 19.

I advised in my notice on 5 July 2013 that, in accordance with s.24(2) of the FOI Act, the department was treating the requests for the 19 incidents as a single request as they related to documents, the subject matter of which is substantially the same. In the notice I also advised that I considered that the request in its current form met a 'practical refusal reason' under s.24AA of the FOI Act. This was because I considered that the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations due to the size of the request.

My notice of 5 July also advised that I was consulting with you on the scope of your request and inviting you to revise its scope so that it no longer met a practical refusal reason. I advised that, as there were multiple applicants with a stake in this request, it was necessary for all applicants to agree with the department on a scope that would no longer be a substantial and unreasonable diversion of the agency's resources.

The consultation period for the purposes of the notice ended on Friday 19 July 2013.

**Purpose of this letter**

While some of the individuals responded to my notice, most did not. As there was no agreement with each individual with a stake in this request, it has been deemed as withdrawn under s.24AB(7) of the FOI Act, as foreshadowed in my notice of 5 July 2013. No further action will be taken on this request.

You may lodge a new request for access at any time.

**people** our business

Please note that I have not refused to give access to a document in accordance with your request. Your request is deemed to have been withdrawn by you. Consequently, a decision under the FOI Act has not been made. You are therefore unable to seek review of a decision, either by the department or by the Office of the Australian Information Commissioner (OAIC).

### **How to make a complaint about the handling of your 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.

Your complaint must be in writing and must specify the agency you are complaining about. You can send your complaint to the Australian Information commissioner using the details that follow:

Post	GPO Box 2999 CANBERRA ACT 2601
or	GPO Box 5218 SYDNEY NSW 2001
Online	<a href="http://www.oaic.gov.au">www.oaic.gov.au</a>
Email	<a href="mailto:enquiries@oaic.gov.au">enquiries@oaic.gov.au</a>
Fax	+61 2 9284 9666
In person	4 National Circuit BARTON ACT
or	Level 3, 175 Pitt Street SYDNEY NSW

A complaint form is also available at [www.oaic.gov.au](http://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



Linda Rossiter  
Director  
FOI & Privacy policy section  
Department of Immigration and Citizenship

[foi@immi.gov.au](mailto:foi@immi.gov.au)