Australian Government

Department of Human Services

2 February 2017

Our reference: LEX 24966

Mr Justin Clacherty

By email: foi+request-2909-0c5941d5@righttoknow.org.au

Dear Mr Clacherty

Your Freedom of Information request

I refer to your request dated 5 January 2017 and received by the Department of Human Services (the **department**) on the same date for access under the *Freedom of Information Act 1982* (the **FOI Act**).

I cannot identify the documents you want and I am asking you to give me specific details about the information you are after. If you decide not to give this information, I will have to refuse your FOI request as a 'practical refusal reason' exists. For a more detailed explanation of what this means see Attachment A.

How to send us a 'revised request'

Before I make a final decision on your request, you can submit a revised request.

Within the next 14 days (consultation period) you must do one of the following, in writing:

- withdraw the request

- make a revised request, or

- tell us that you do not want to revise your request.

If you do not do contact us during the consultation period, we will assume you do not want to continue with your request. See Attachment A for relevant sections of the FOI Act.

If you decide to make a revised request you should be specific about what documents you actually want. This could help the department find the documents.

Contact us

During the consultation period you are welcome to contact us:

- in writing to the address at the top of this letter

- via email to FOI.LEGAL.TEAM@humanservices.gov.au

Note: When you contact us please quote the reference number **FOI LEX 24966**.

Further assistance

If you have any questions please email FOI.LEGAL.TEAM@humanservices.gov.au.

Yours sincerely

Authorised FOI Decision Maker
Freedom of Information Team
FOI and Litigation Branch | Legal Services Division
Department of Human Services

What I took into account

You requested access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

1) Any manuals made available to Centrelink staff in the 18 months prior to 31 December, 2016 detailing how staff should respond to threats of self-harm by clients; and

2) Any notices sent to, or made available to Centrelink staff in the 18 months prior to 31 December, 2016 detailing how staff should respond to threats of self-harm by clients.

Part 2 of your request is not specific with respect to 'any notices sent to, or made available to Centrelink staff'. For example it is not clear whether this would include individual emails to an officer or notes sent to staff in relation to specific threats of self-harm by clients. I am not able to reasonably identify what documents you want.

Under sections 24AA(1)(b) and 24 of the Freedom of Information Act, I intend to refuse your FOI request as a 'practical refusal reason' exists. Under the Act, the practical refusal reason is that your request does not satisfy the requirements in paragraph 15(2)(b) (identification of documents).

Relevant sections of the *Freedom of Information Act 1982*

Section 24AA(1)(b) of the FOI Act provides that a practical refusal reason exists in relation to a request for a document if the request does not satisfy the requirement in section 15(2)(b) of the FOI Act.

Section 15(2)(b) of the FOI Act provides that a request must provide such information as is reasonably necessary to enable the agency to identify the documents that are being requested.

Section 24AB(7) of the FOI Act provides that the request is taken to have been withdrawn under at the end of the consultation period if:

- the applicant does not consult the contact person during the consultation period in accordance with the notice, or

- the applicant does not do one of the things mentioned in subsection (6) before the end of the consultation period.

Section 24AB(7) (subsection 6) says that the applicant must, before the end of the consultation period, do one of the following, by written notice to the agency or Minister:

- withdraw the request,

- make a revised request, or

- indicate that the applicant does not wish to revise the request.