



2 May 2017

In reply please quote

FOI Request FA 17/03/00593
File Number ADF2017/29612

Mr Steven LARKSON

Sent via email: foi+request-3235-b1e9aaa2@righttoknow.org.au

Freedom of Information request

Dear Mr Larkson,

This letter refers to your request received on 15 March 2017 seeking access under the *Freedom of Information Act 1982* (the Act) to the following documents:

The detail for processed visa subclass 820 and 801 applications for the financial years of 2015 and 2016. If 2016 is not yet available, then please send for 2014 and 2015. Specifically, the documents containing the following information:

[1] - Percentage of applications approved / rejected

[2] - Reasons for rejected applications

[3] - Amount of rejections sent to tribunal and the percentage of those that were then approved or rejected'

This letter is to provide you with the decision which is at Attachment A – Decision Record.

FOI Legislation

A copy of the FOI Act is available for your reference from:

www.legislation.gov.au/Browse/ByTitle/Acts/InForce/0/0/Principal

Review rights

Internal review

If you disagree with the decision, you have the right to apply for an internal review of the decision. If you wish to make a request for internal review this must be sent within 30 days of being notified of the decision. Where possible please attach reasons why you believe review of the decision 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 Australian Information Commissioner for a review of the decision. You must apply in writing within 60 days of this notice. For further information about review rights under the FOI Act 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 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. Information about how to submit a complaint is also 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

(signed electronically)

Helen Simons
FOI Officer
Freedom of Information, Privacy & Records Management Branch
Department of Immigration and Border Protection
Email: foi@border.gov.au

Attachment(s)

- ✓ Attachment A – Decision Record
- ✓ Attachment B – Schedule of Documents
- ✓ Attachment C – Documents released



Attachment A

DECISION RECORD

Request Details

FOI Request FA 17/03/00593
File Number ADF2017/29612

Original scope of request

1. On 15 March 2017 you requested:

The detail for processed visa subclass 820 and 801 applications for the financial years of 2015 and 2016. If 2016 is not yet available, then please send for 2014 and 2015. Specifically, the documents containing the following information:

[1] - Percentage of applications approved / rejected

[2] - Reasons for rejected applications

[3] - Amount of rejections sent to tribunal and the percentage of those that were then approved or rejected'

Documents in scope

2. There is one document within the scope of your request. This document is detailed in Attachment B - Schedule of Documents and attached as Attachment C – Documents released.

Authority to make decision

3. 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

4. In reaching my decision, I have considered the following:
 - The *Freedom of Information Act 1982*;
 - The document as listed in the Schedule of Documents;
 - Consultations with relevant business areas; and
 - The Australian Information Commissioner's guidelines relating to access to documents held by government.

Decision

Part 1 of the request

5. In response to Part 1 of your request, the Department created the attached document. My decision is to release the document in full.

Parts 2 and 3 of the request

6. The Department has undertaken searches to identify any documents that would be relevant to Parts 2 and 3 of your request. After consulting with the relevant business area I am satisfied that no documents (electronic or hard copy) are in possession of the Department that fall within the scope of this part of your request.
7. Under s.17(1) of the FOI Act, where a discrete document does not exist, the agency is to consider whether a document addressing the request could be produced through the use of a computer or other equipment that is ordinarily available to the agency for retrieving or collating stored information.
8. Advice from the relevant business area is that the data sought for Parts 2 and 3 of your request are not readily producible from systems. I am therefore satisfied that this information does not exist in discrete documents and cannot be readily produced. Access to the information you have requested is therefore refused under s.24A(1) of the FOI Act.
9. Further, Part 3 of your request refers to statistics that are published and publicly available on the Administrative Appeals Tribunal (AATs) website. The data can be located via the following link: <http://www.aat.gov.au/resources/statistics>

The information you have requested can be found by clicking the link titled *MRD Migration Caseload Statistics*.

(signed electronically)

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

2 May 2017



Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 17/03/00593
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No.	Date of document	Folios	Description	Decision on release	Applicable part/s of the FOI Act
1.	undated	1	Family visas (801 and 820) finalised in 2014-15 and 2015-16	Released in full	n/a