Jackson Gothe-Snape

SBS via Right to Know

**By email**: [foi+request-4041-d28351df@righttoknow.org.au](mailto:foi+request-4041-d28351df@righttoknow.org.au)

Dear Mr Gothe-Snape

**Freedom of Information (FOI) Request No. 17/18-017**

1. I refer to your correspondence received by the Department of Social Services (the Department) on 22 August 2017, in which you requested access to the following documents, under the Freedom of Information Act 1982 (the FOI Act):

*… figures for June 2017 detailing the number of welfare recipients of income support and benefits by payment type and country of birth.*

1. I am authorised to make decisions under subsection 23(1) of the FOI Act and the following is my decision in relation to your request.

**Decision on access to documents**

1. Pursuant to subparagraph 24A(1)(b)(ii) of the FOI Act, I have decided to refuse your request for access to documents on the basis that the documents you have requested do not exist.

**Reasons for decision**

1. An agency or Minister may refuse a request for access to a document under subsection 24A(1) of the FOI Act if:
2. *all reasonable steps have been taken to find the document; and*
3. *the agency or Minister is satisfied that the document:*
4. *is in the agency’s or Minister’s possession but cannot be found; or*
5. *does not exist.*
6. I have decided to refuse your request pursuant to section 24A of the FOI Act on the basis that the Department has taken all reasonable steps to find documents falling within the scope of your request, and I am satisfied that the documents do not exist.
7. I have based my decision on the following:

* your correspondence dated 22 August 2017 outlining the particulars of your request for documents under the FOI Act;
* conversations with the relevant departmental officers who have advised me that presently, there is no June 2017 data, on the number of income support recipients, available; and
* the FOI Act.

1. The June 2017 data will only become available in October 2017 on Data.gov.au at <http://www.data.gov.au/dataset/dss-payment-demographic-data>.
2. I can advise you that data from March 2017 on the number of welfare recipients, according to the top 25 countries of birth, is currently available at the above link. A copy of this information is at **Attachment B** of this letter for your information.

**Rights of review**

1. I have enclosed information about your rights of review at **Attachment A**.
2. Should you have any enquiries concerning this matter, please do not hesitate to contact the FOI Team via email at [foi@dss.gov.au](mailto:foi@dss.gov.au).

Yours sincerely

Legislation and FOI Section

Government and Executive Services Branch

Corporate Services Group

15 September 2017

**ATTACHMENT A**

**Your rights of review**

**Internal Review**

Section 54 of the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision you must apply for the review, in writing, within 30 days of receipt of this letter. No particular form is required for an application for internal review, but to assist the decision-maker you should clearly outline the grounds upon which you consider the decision should be reviewed. Applications for internal review can be lodged in one of the following ways:

Post: Freedom of Information (FOI) Coordinator (TOP CE4)

Government and Executive Services Branch

Department of Social Services  
 GPO Box 9820  
 CANBERRA ACT 2601

Email: [foi@dss.gov.au](mailto:foi@dss.gov.au)

**External Review by the Australian Information Commissioner**

Section 54L of the FOI Act gives you the right to apply directly to the Australian Information Commissioner (AIC) to seek a review of this decision.

If you wish to have the decision reviewed by the AIC you must apply for the review, in writing or by using the online merits review form available on the AIC’s website at [www.oaic.gov.au](http://www.oaic.gov.au), within 60 days of receipt of this letter. To assist the AIC your application should include a copy of this decision and your contact details. You should also clearly set out why you are objecting to the decision.

You can also complain to the AIC about how an agency handled an FOI request, or other actions the agency took under the FOI Act. Applications for review or complaint can be lodged in one of the following ways:

Online: [www.oaic.gov.au](http://www.oaic.gov.au)

Post: GPO Box 5218

SYDNEY NSW 2001

Phone: 1300 363 992 or +61 2 9284 9749 for international

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

In person: Level 3

175 Pitt Street

SYDNEY NSW 2000