



AFP
AUSTRALIAN FEDERAL POLICE

Our ref: CRM 2018/236

9 March 2018

Mr Asher Hirsch

Via email: foi+request-4147-3884c0da@righttoknow.org.au

Dear Mr Hirsch,

Your Freedom of Information request

I refer to your application email dated 16 October 2017, under *the Freedom of Information Act 1982* (the Act) seeking the following:

“All documents and communication that arose relating to my previous FOI request CRM 2018/125 which may include internal communication regarding the search for documents and other attempts to locate the documents.”

Attached at Annexure A to this letter is my decision and statement of reasons for that decision. A “Schedule of Documents” identified as falling into the scope of your request is at Annexure B.

Information Publication Scheme (IPS)

As notified to you on 18 October 2017 it has been decided to publish the documents in respect of your request. Publication of the documents and any relevant documents will be made available on the AFP website at <http://www.afp.gov.au/about-the-afp/information-publication-scheme/routinely-requested-information.aspx> in accordance with timeframes stipulated in section 11C of the Act.

Yours sincerely,

Helen Drew
Coordinator
Freedom of Information Team
Chief Counsel Portfolio

**STATEMENT OF REASONS RELATING TO AN FOI REQUEST BY
ASHER HIRSCH**

I, Helen Drew, Coordinator, Freedom of Information Team, am an officer authorised under section 23 of the Act to make decisions in relation to the Australian Federal Police.

What follows is my decision and reasons for the decision in relation to your application.

BACKGROUND

On 16 October 2017, this office received your email application in which you requested document under the Act.

I understand that this request has exceeded all statutory timeframes and I apologise for any inconvenience this delay has caused.

SEARCHES

In relation to this request, the following searches for documents have been undertaken:

- a) a search of the AFP's FOI Database "Microsoft Dynamics CRM" for documents relating to FOI request with reference CRM2018/125; and
- b) a search of the FOI Team's hard copy file CANREG2017/8377 relating to FOI request CRM2018/125.

DECISION

I have identified 17 documents relevant to your request. A schedule of each document and details of my decision in relation to each document is at Annexure B.

I have decided that the documents itemised at Annexure B are released to you with deletions pursuant to subsections 22(1)(a)(ii) and 47E(d) of the Act.

My reasons for this decision are set out below.

WAIVER OF CHARGES

Given that the request has exceeded all statutory timeframes as outlined at Section 15 of the Act, the AFP is not able to impose any fees or charges as outlined at Regulation 5(2)&(3) of the *Freedom of Information (Charges) Regulations 1982*.

REASONS FOR DECISION

the Act.

Folios to which subsection 22(1)(a)(ii) applies:

Subsection 22(1)(a)(ii) of the Act provides that:

- “(1) Where:
(a) an agency or Minister decides:

- (ii) *that to grant a request for access to a document would disclose information that would reasonably be regarded as irrelevant to that request;*"

The parts of the documents identified in the Schedule as exempt under this section of the Act contain information which is considered irrelevant to the request. I have determined that information contained in some of the folios should be deemed to be exempt because it does not come within the scope of your application and thus falls outside the ambit of your request.

By way of further explanation, these exempt folios cover information which you have agreed to exclude from the scope of your request. For example, you agreed to exclude the names of AFP members, other than the Senior Executive, and direct telephone numbers, signatures and mobile telephone numbers of AFP members.

I therefore have found that those parts of the documents would be reasonably be regarded as irrelevant to the request under subsection 22(1)(a)(ii) of the Act.

Folios to which subsection 47E(d) applies:

Subsection 47E(d) of the Act provides that:

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

- ...
- (d) *have a substantial adverse effect on the proper and efficient conduct of the operations of an agency;...*"

The parts of the documents identified in the schedule as exempt under this section of the Act contain information, the release of which, would have a substantial adverse effect on the conduct of AFP operations, specifically its operational functions.

I have considered the public interest factors both in favour and against disclosure of the information in these folios.

In relation to the factors favouring disclosure, I believe the following are relevant:

- (a) the general public interest in access to documents as expressed in sections 3 and 11 of the Act; and
- (b) the public interest in people being able to scrutinise the operations of a government agency and in promoting governmental accountability and transparency.

In relation to the factors against disclosure, I believe that the following are relevant:

- (c) the need for the agency to maintain the confidentiality with regard to the information, which includes internal AFP contact details specifically internal email addresses, telephone numbers and operation names;
- (d) the information redacted under this section of the Act is directly connected with a particular Operation which is not widely known, if the information concerning the operation was revealed, it may have a substantial adverse effect on the conduct of similar operations in the future; and
- (e) if such information was disclosed, it may prejudice security, law enforcement and the ability of AFP resources to perform their expected activities.

These internal contact details, exempted under this section of the Act, are not widely known and release may result in the diversion of AFP resources, ultimately having an overall adverse effect on the efficient conduct of operations.

While there is a public interest in providing access to documents held by the AFP, I have given greater weight to factors (c), (d) and (e) above and conclude that on balance, disclosure is not in the public interest, given the need to ensure the effectiveness of current procedures.

I find that release of those parts of the documents would be an unreasonable disclosure under subsection 47E(d) of the Act.

EVIDENCE/MATERIAL ON WHICH MY FINDINGS WERE BASED

In reaching my decision, I have relied on the following documentary evidence:

- ❖ the scope of your application;
- ❖ the contents of the documents listed in the attached schedule;
- ❖ advice from AFP officers with responsibility for matters relating to the documents to which you sought access;
- ❖ *Freedom of Information Act 1982*; and
- ❖ Guidelines issued by the Office of the Australian Information Commissioner.

**** YOU SHOULD READ THIS GENERAL ADVICE IN CONJUNCTION WITH THE LEGISLATIVE REQUIREMENTS OF THE FREEDOM OF INFORMATION ACT 1982.**

REVIEW AND COMPLAINT RIGHTS

If you are dissatisfied with a Freedom of Information decision made by the Australian Federal Police, you can apply for an internal or Information Commissioner (IC) Review. You do not have to apply for Internal Review before seeking an IC review.

You do not need to seek a review by either the AFP or the IC should you wish to complain about the AFP's actions in processing your request.

REVIEW RIGHTS under Part VI of the Act

Internal Review by the AFP

Section 53A of the Act gives you the right to apply for an internal review in writing to the Australian Federal Police (AFP) within 30 days of being notified of a decision. No particular form is required. It would assist the independent AFP decision-maker responsible for the internal review if you set out in the application, the grounds on which you consider that the decision should be reviewed.

Section 54B of the Act provides that the internal review submission must be made within 30 days. Applications for a review of the decision should be addressed to:

Australian Federal Police
GPO Box 401
Canberra ACT 2601

REVIEW RIGHTS under Part VII of the Act

Review by the Information Commissioner (IC)

Alternatively, Section 54L of the Act gives you the right to apply directly to the IC or following an internal review by the AFP. In making your application you will need to provide an address for notices to be sent (this can be an email address) and a copy of the AFP decision. It would also help if you set out the reasons for review in your application.

Section 54S of the Act provides for the timeframes for an IC review submission. For an *access refusal decision* covered by subsection 54L(2), the application must be made within 60 days. For an *access grant decision* covered by subsection 54M(2), the application must be made within 30 days.

Applications for a review of the decision should be addressed to:

Office of the Australian Information Commissioner
GPO Box 5128
Sydney NSW 2001

Further, the OAIC encourages parties to an IC review to resolve their dispute informally, and encourages agencies to consider possible compromises or alternative solutions to the dispute in this matter. The AFP would be pleased to assist you in this regard.

Information about the IC review process can be found in Part 10 of the Guidelines which are available on our website at <http://www.oaic.gov.au/publications/guidelines.html>.

RIGHT TO COMPLAIN under Part VIIB of the Act

Section 70 of the Act provides that a person may complain to the IC about action taken by the Australian Federal Police in relation to your application.

A complaint to the IC may be made in writing and identify the agency against which the complaint is made.

The IC may be contacted on 1300 363 992. There is no particular form required to make a complaint, but the complaint should set out the grounds on which you consider the action should be investigated.

SCHEDULE OF DECISION

Document No	Folio #	Description
1	1	s 22(1)(a)(ii): Exempted material would disclose information that would reasonably be regarded as irrelevant to the request.
		s 22(1)(a)(ii)
2	2	Folio released in full
	3	s 22(1)(a)(ii)
3	4	s 22(1)(a)(ii)
		s 47E(d): Exempted material would disclose information that would have a substantial adverse effect on the proper and efficient conduct of the operations of the AFP and would be contrary to the public interest. Access must be given unless it would be contrary to the public interest.
		s 47E(d)
	5	s 22(1)(a)(ii)
		s 47E(d)
	6	s 22(1)(a)(ii)
	7	s 22(1)(a)(ii)
		s 47E(d)
	8	s 22(1)(a)(ii)
		s 47E(d)
	9	s 22(1)(a)(ii)
4	10	s 22(1)(a)(ii)
		s 47E(d)
	11	s 22(1)(a)(ii)
	12	s 22(1)(a)(ii)
		s 47E(d)
	13	s 22(1)(a)(ii)
		s 47E(d)
	14	s 22(1)(a)(ii)
5	15	s 22(1)(a)(ii)
		s 47E(d)
	16	s 22(1)(a)(ii)
7	17	s 22(1)(a)(ii)
		s 47E(d)
	18	s 22(1)(a)(ii)
	19	s 22(1)(a)(ii)
		s 47E(d)
	20	s 22(1)(a)(ii)
		s 47E(d)
	21	s 22(1)(a)(ii)
		s 47E(d)
	22	s 22(1)(a)(ii)
8	23	s 22(1)(a)(ii)
		s 47E(d)
	24	s 22(1)(a)(ii)
	25	s 22(1)(a)(ii)
		s 47E(d)
	26	s 22(1)(a)(ii)
		s 47E(d)
	27	s 22(1)(a)(ii)
9	28	Folio released in full
10	29	s 22(1)(a)(ii)
11	30	s 22(1)(a)(ii)

SCHEDULE OF DECISION

	30	s 47E(d)
	31	Folio released in full
12	32	s 22(1)(a)(ii)
13	33	s 22(1)(a)(ii)
	34	Folio released in full
14	35	s 22(1)(a)(ii)
15	36	s 22(1)(a)(ii)
	37	Folio released in full
16	38	s 22(1)(a)(ii)
	39	s 22(1)(a)(ii)
17	40	s 22(1)(a)(ii)

From: s 22(1)(a)(ii) on behalf of FOI
To: foi+request-4045-0df25797@righttoknow.org.au
Cc: FOI
Subject: Your FOI request - CRM 2018/125 [DLM=For-Official-Use-Only]
Date: Friday, 22 September 2017 3:04:20 PM
Attachments: [Decision letter - Hirsch - CRM 2018-125.pdf](#)

For-Official-Use-Only

Dear Asher

I refer to your FOI request dated 22 August 2017.

I **attach** my decision regarding your request.

Kind regards

s 22(1)(a)(ii)
TEAM LEADER - FREEDOM OF INFORMATION
CHIEF COUNSEL PORTFOLIO

s 22(1)(a)(ii)
www.afp.gov.au



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THIS DOCUMENT IS DECLASSIFIED
AND RELEASED BY THE
AUSTRALIAN FEDERAL POLICE
UNDER THE FREEDOM OF
INFORMATION ACT 1982



AFP

AUSTRALIAN FEDERAL POLICE

FREEDOM OF INFORMATION

GPO Box 401 Canberra City ACT 2601
Telephone 02 6131 6131
Email foi@afp.gov.au
www.afp.gov.au
ABN 17 864 931 143

Our Ref: CRM 2018/125

22 September 2017

Asher Hirsch
Right to Know

Email: foi+request-4045-0df25797@righttoknow.org.au

Dear Asher Hirsch,

Freedom of Information Request

I refer to your request dated 22 August 2017 for documents held by the Australian Federal Police pursuant to the Freedom of Information Act 1982 (the Act) in relation to:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a 'specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia' was agreed to by the AFP and their counterparts the Indonesian National Police."

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

On 23 August 2017 you clarified that:

"I am seeking a specific protocol between the AFP and Indonesian National Police to target people smuggling syndicates operating out of Indonesia. The Protocol was established on 15 September 2000 and is part of a broader Memorandum of Understanding (MOU) between the AFP and INP to cooperate on investigations into transnational crime. That MOU was originally agreed on 27 October 1995 and renewed on 13 June 2002. I am requesting both the MOU and the protocol."

The Commissioner of the Australian Federal Police, being the principal officer of that Agency, has authorised me to make decisions on behalf of that agency in respect of the Act.

SEARCHES

In relation to this request, a search was undertaken by the Commissioner's Office and the AFP's International Operations portfolio for documents within

These searches identified that at some stage, the AFP held copies of the 27 October 1995 memorandum and the 15 September 2000 protocol. The AFP's International Operations portfolio then conducted extensive searches to locate these documents, including searches through:

- Australian-based International Operations offices;
- relevant international offices;
- the AFP's Legal team;
- the AFP's Records Management Unit;

Unfortunately, these searches have been unable to locate the documents.

As a result of the above information, I am satisfied that all reasonable steps have been taken to find the documents relating to your request but the documents cannot be found.

Therefore, on this basis, your request for access is refused under section 24A(b)(i) of the Act.

Section 24A states:

- "An agency or Minister may refuse a request for access to a document if:*
- (a) all reasonable steps have been taken to find the document; and*
 - (b) the agency or Minister is satisfied that the document:*
 - (i) is in the agency's or Minister's possession but cannot be found; or*
 - (ii) does not exist."*

Please refer to the attached documents in relation to your review rights.

Yours sincerely,

s 22(1)(a)(ii)

Acting Team Leader
Freedom of Information
Australian Federal Police

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) on behalf of s 47E(d)
Sent: Friday, 22 September 2017 11:01 AM
To: FOI
Cc: s 47E(d) s 22(1)(a)(ii)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]
Attachments: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]; RE: Archived document as per FOI request [SEC=UNCLASSIFIED]; FW: Archived document as per FOI request [SEC=UNCLASSIFIED]; RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning s 22(1)(a)(ii)

Please see attached copies of emails pertaining to our search in relation to FOI request CRM 2018/125 (Post and RMU).

In relation to the A-Base searches including AFP Legal; I liaised with IO Governance verbally who advised that they had spoken with AFP legal and confirmed that they did not hold a copy of the MOU. IO Governance also conducted a thorough search of all records held – both soft and hard copy but were unable to locate the requested MOU.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
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UNCLASSIFIED

From: s 22(1)(a)(ii) On Behalf Of FOI
Sent: Wednesday, 20 September 2017 5:51 PM
To: s 47E(d)
Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear s 22(1)(a)(ii)

Further to this, could you please send me a copy of all the emails you sent out and received for your searches? I need to be able to confirm that we have exhausted our steps, and your emails will be very helpful in me proving this.

Kind regards

s 22(1)(a)(ii)

TEAM LEADER - FREEDOM OF INFORMATION
CHIEF COUNSEL PORTFOLIO

s 22(1)(a)(ii)

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From: s 22(1)(a)(ii) **On Behalf Of** s 47E(d)

Sent: Wednesday, 20 September 2017 8:56 AM

To: FOI

Cc: s 22(1)(a)(ii) s 47E(d) s 22(1)(a)(ii)

Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning s 22(1)(a)(ii)

After reviewing the documents from RMU, we can confirm that the documents do not relate to this FOI request.

A thorough search has been conducted to locate documents that may relate to this request, which included IO-A Base, AFP Legal, Post and external web sites.

IO provide a 'Nil' response for this request.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)
www.afp.gov.au



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From: s 22(1)(a)(ii)

Sent: Thursday, 14 September 2017 10:11 AM

To: FOI

Cc: s 47E(d)

Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

His 22(1)(a)(ii)

I am waiting on some documents from RMU which were sent to me two days ago – hoping I will get them today....

Regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)
www.afp.gov.au



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UNCLASSIFIED

From: FOI

Sent: Thursday, 14 September 2017 9:38 AM

To: s 22(1)(a)(ii)

Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

Importance: High

UNCLASSIFIED

His 22(1)(a)(ii)

In relation to the below emails, I note that no further correspondence has been received by your area for FOI consideration.

It would be appreciated if you could please provide all relevant documents as a matter of urgency as a decision is due to the applicant by 21 September.

Happy to discuss.

Thanks

s 22(1)(a)(ii)

s 22(1)(a)(ii)
TEAM MEMBER, FREEDOM OF INFORMATION
LEGAL

s 22(1)(a)(ii)
www.afp.gov.au



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From: s 22(1)(a)(ii)

Sent: Tuesday, 12 September 2017 11:28 AM
CRM2018/236

Cc: FOI

Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

We have a couple of FOI requests that require a response from Post – please see below in relation to FOI CRM 2018/125. I will forward the second FOI request in a separate email.

Noting [redacted] s 22(1)(a)(ii) advice that they could not locate the document, could we please confirm this is the case.

Responses to FOI team were due by 7 September 2017.

Kind regards,

[redacted] s 22(1)(a)(ii)

[redacted] s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS

[redacted] s 22(1)(a)(ii)
www.afp.gov.au



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UNCLASSIFIED

From: [redacted] s 22(1)(a)(ii) **On Behalf Of** [redacted] s 47E(d)
Sent: Friday, 1 September 2017 10:26 AM
To: [redacted] s 22(1)(a)(ii) [redacted] s 47E(d) [redacted] s 22(1)(a)(ii)
Cc: [redacted] s 47E(d) [redacted] s 22(1)(a)(ii)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

In relation to this FOI request, we have had a response from [redacted] s 22(1)(a)(ii) advising that they are unable to locate any information pertaining to this. However, we note that you emailed IO Governance on the 3 August 2017 and attached a 'CHRONOLOGICAL OF MOU AND OTHER MAJOR COMMITMENTS BETWEEN AFP – POLRI', which notes the following:

On 15th September 2000 a document titled 'Protocol Under the Memorandum of Understanding between the Indonesian National Police and the Australian Federal Police on the Targeting of the People Smuggling Syndicates Located in the Rep of Indonesia' was signed in Jakarta.

Therefore, regarding the above, could you please confirm if your office holds a copy of this MOU. If so, please provide IO Executive Support with a copy and your approval to release to the applicant; noting the option for exemption under Section 33.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au



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UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 29 August 2017 12:35 PM
To: s 47E(d) s 22(1)(a)(ii)
Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 22(1)(a)(ii)

We will check our records for any trace of this MOU and get back to you.

Thanks and regards,

s 22(1)(a)(ii)



s 22(1)(a)(ii)
SENIOR LIAISON OFFICER JAKARTA
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 29 August 2017 6:49 AM
To: s 22(1)(a)(ii) s 47E(d)
Cc: s 47E(d)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good Morning s 22(1)(a)(ii)

The AFP has received a request under the *Freedom of Information Act 1982* (Cth) from Asher Hirsch, Right to Know seeking access to documents in the following terms:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people

smuggling syndicates operating out of Indonesia” was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol.”

Grateful if you would provide all relevant documents, which relate to the above request including emails, PROMIS entries, photos, documents contained on local drives and diary note entries etc. EST will forward to FOI on receipt who will apply redactions then seek clearance from all relevant parties. If you believe it to be a voluminous request (500 pages or more), please advise our team as soon as possible.

Please refer to Section 33 of the User Guide (attached) if you wish to seek an exemption for this request.

Please provide your response to IO-Governance by **COB Thursday 31 August 2017** to enable sufficient time for relevant approvals.

Kind Regards ,

s 22(1)(a)(ii)

s 22(1)(a)(ii)

IO GOVERNANCE TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)

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AUSTRALIAN FEDERAL POLICE
UNDER THE FREEDOM OF
INFORMATION ACT 1982

UNCLASSIFIED

s 22(1)(a)(ii)

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Sent: Wednesday, 20 September 2017 8:56 AM
To: FOI
Cc: s 22(1)(a)(ii) s 47E(d) s 22(1)(a)(ii)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

Follow Up Flag: Follow up
Flag Status: Completed

UNCLASSIFIED

Good morning s 22(1)(a)(ii)

After reviewing the documents from RMU, we can confirm that the documents do not relate to this FOI request.

A thorough search has been conducted to locate documents that may relate to this request, which included IO-A Base, AFP Legal, Post and external web sites.

IO provide a 'Nil' response for this request.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au



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From: s 22(1)(a)(ii)
Sent: Thursday, 14 September 2017 10:11 AM
To: FOI
Cc: s 47E(d)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 22(1)(a)(ii)

I am waiting on some documents from RMU which were sent to me two days ago – hoping I will get them today....

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s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au



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UNCLASSIFIED

From: FOI
Sent: Thursday, 14 September 2017 9:38 AM
To: s 22(1)(a)(ii)
Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Hj s 22(1)(a)(ii)

In relation to the below emails, I note that no further correspondence has been received by your area for FOI consideration.

It would be appreciated if you could please provide all relevant documents as a matter of urgency as a decision is due to the applicant by 21 September.

Happy to discuss.

Thanks
s 22(1)(a)(ii)

s 22(1)(a)(ii)
TEAM MEMBER, FREEDOM OF INFORMATION
LEGAL
s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 12 September 2017 11:28 AM
Cc: FOI
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

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Noting [redacted s 22(1)(a)(ii)] advice that they could not locate the document, could we please confirm this is the case.

Responses to FOI team were due by 7 September 2017.

Kind regards,

[redacted s 22(1)(a)(ii)]

[redacted s 22(1)(a)(ii)]
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
[redacted s 22(1)(a)(ii)]
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

UNCLASSIFIED

From: [redacted s 22(1)(a)(ii)] **On Behalf Of** [redacted s 47E(d)]
Sent: Friday, 1 September 2017 10:26 AM
To: [redacted s 22(1)(a)(ii)] [redacted s 47E(d)] [redacted s 22(1)(a)(ii)]
Cc: [redacted s 47E(d)] [redacted s 22(1)(a)(ii)]
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

In relation to this FOI request, we have had a response from [redacted s 22(1)(a)(ii)] advising that they are unable to locate any information pertaining to this. However, we note that you emailed IO Governance on the 3 August 2017 and attached a 'CHRONOLOGICAL OF MOU AND OTHER MAJOR COMMITMENTS BETWEEN AFP – POLRI', which notes the following:

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Therefore, regarding the above, could you please confirm if your office holds a copy of this MOU. If so, please provide IO Executive Support with a copy and your approval to release to the applicant; noting the option for exemption under Section 33.

Kind regards,

[redacted s 22(1)(a)(ii)]

[redacted s 22(1)(a)(ii)]
EXECUTIVE SUPPORT TEAM

INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)

www.afp.gov.au



AFP
AUSTRALIAN FEDERAL POLICE

POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)

Sent: Tuesday, 29 August 2017 12:35 PM

To: s 47E(d); s 22(1)(a)(ii)

Cc: s 47E(d)

Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 22(1)(a)(ii)

We will check our records for any trace of this MOU and get back to you.

Thanks and regards,

s 22(1)(a)(ii)



AFP
AUSTRALIAN FEDERAL POLICE

s 22(1)(a)(ii)
SENIOR LIAISON OFFICER JAKARTA
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au

UNCLASSIFIED

From: s 22(1)(a)(ii)

Sent: Tuesday, 29 August 2017 6:49 AM

To: s 22(1)(a)(ii); s 47E(d)

Cc: s 47E(d)

Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good Morning s 22(1)(a)(ii)

The AFP has received a request under the *Freedom of Information Act 1982* (Cth) from Asher Hirsch, Right to Know seeking access to documents in the following terms:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

Grateful if you would provide all relevant documents, which relate to the above request including emails, PROMIS entries, photos, documents contained on local drives and diary note entries etc. EST will forward to FOI on receipt who will apply redactions then seek clearance from all relevant parties. If you believe it to be a voluminous request (500 pages or more), please advise our team as soon as possible.

Please refer to Section 33 of the User Guide (attached) if you wish to seek an exemption for this request.

Please provide your response to IO-Governance by **COB Thursday 31 August 2017** to enable sufficient time for relevant approvals.

Kind Regards ,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
IO GOVERNANCE TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)
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POLICING FOR
A SAFER AUSTRALIA

THIS DOCUMENT IS DECLASSIFIED
AND RELEASED BY THE
AUSTRALIAN FEDERAL POLICE
UNDER THE FREEDOM OF
INFORMATION ACT 1982

UNCLASSIFIED

s 22(1)(a)(ii)

From: s 47E(d)
Sent: Tuesday, 12 September 2017 3:30 PM
To: s 22(1)(a)(ii)
Subject: RE: Archived document as per FOI request [SEC=UNCLASSIFIED]

Follow Up Flag: Follow up
Flag Status: Completed

UNCLASSIFIED

Good afternoons s 22(1)(a)(ii)

I have conducted searches on the below and found 8 files that may be of interest:

CANREG 2002/00002929 PART 1 & 2	COMMISSIONER'S OFFICE SENATE SELECT COMMITTEE ON A CERTAIN MARITIME INCIDENT	HELD AT RMU
CANREG 2009/00007546 PART 1 - 5	SELECT COMMITTEE ON A CERTAIN MARITIME INCIDENT - HANSARD AND AFP SUBMISSION PROMIS 781338	HELD AT RMU
CANREG 2002/00002932	s 47E(d)	MARKED TO NAT-LEGAL- LEGAL TEAM s 47E(d)

I have placed the files that are held at the RMU in the internal mail.

Kind regards,

Andrea.

s 22(1)(a)(ii)
TEAM MEMBER - RECORDS MANAGEMENT UNIT
FINANCE AND COMMERCIAL
s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 12 September 2017 1:51 PM
To: s 47E(d)
Cc: s 47E(d)
Subject: Archived document as per FOI request [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon team

We have received a request under the Freedom of Information Act 1982(Cth) seeking access to document's in the following terms:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

Could we please request that you conduct a search of AFP records to attempt to locate the requested documents and if located please forward copies to IO-Executive-Support email address.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)
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INFORMATION ACT 1982

POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) (Records Management) on behalf of s 47E(d)
Sent: Tuesday, 12 September 2017 3:20 PM
To:
Cc: s 47E(d)
Subject: FW: Archived document as per FOI request [SEC=UNCLASSIFIED]

Follow Up Flag: Follow up
Flag Status: Completed

UNCLASSIFIED

Good afternoon team,

As outlined in the request for information below, can you advise if you have any information on the MOU referenced below which commenced on 15th September 2000.

AMU is trying to locate any official files in relation to this MOU and have not had any luck. We have located the files in relation to the committee, but not the actual MOU.

Happy to discuss if you have any questions.

Regards

s 22(1)(a)(ii)

s 22(1)(a)(ii)
TEAM LEADER - RECORDS MANAGEMENT
FINANCE AND COMMERCIAL

s 22(1)(a)(ii)
www.afp.gov.au



AFP
AUSTRALIAN FEDERAL POLICE

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A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 12 September 2017 1:51 PM
To:
Cc: s 47E(d)
Subject: Archived document as per FOI request [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon team

We have received a request under the Freedom of Information Act 1982(Cth) seeking access to document's in the following terms:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

Could we please request that you conduct a search of AFP records to attempt to locate the requested documents and if located please forward copies to IO-Executive-Support email address.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
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UNDER THE FREEDOM OF
INFORMATION ACT 1982

UNCLASSIFIED

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Tuesday, 12 September 2017 1:04 PM
To: s 47E(d)
Cc:
Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

Follow Up Flag: Follow up
Flag Status: Completed

UNCLASSIFIED

Hj s 22(1)(a)(ii)

We have conducted an extensive search of holdings here at Post, unfortunately the said document has been unable to be located. Given the length of time since the agreement was signed it has likely been archived. Could I request you consider engagement with IO proper or perhaps the function or AFP Legal to try and assist with this.

Kind regards

s 22(1)(a)(ii)

s 22(1)(a)(ii)

PERFORMING THE ROLE OF SENIOR LIAISON OFFICER - JAKARTA
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)

www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii) **On Behalf Of** s 47E(d)
Sent: Tuesday, 12 September 2017 8:19 AM
To: s 22(1)(a)(ii)
Cc: s 47E(d)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

We have a couple of FOI requests that require a response from Post – please see below in relation to FOI CRM 2018/125. I will forward the second FOI request in a separate email.

Noting s 22(1)(a)(ii) advice that they could not locate the document, could we please confirm this is the case.

Responses to FOI team were due by 7 September 2017.

Kind regards,

CRM2018/236

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii) **On Behalf Of** s 47E(d)
Sent: Friday, 1 September 2017 10:26 AM
To: s 22(1)(a)(ii) s 47E(d) s 22(1)(a)(ii)
Cc: s 47E(d) s 22(1)(a)(ii)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

In relation to this FOI request, we have had a response from s 22(1)(a)(ii) advising that they are unable to locate any information pertaining to this. However, we note that you emailed IO Governance on the 3 August 2017 and attached a 'CHRONOLOGICAL OF MOU AND OTHER MAJOR COMMITMENTS BETWEEN AFP – POLRI', which notes the following:

On 15th September 2000 a document titled 'Protocol Under the Memorandum of Understanding between the Indonesian National Police and the Australian Federal Police on the Targeting of the People Smuggling Syndicates Located in the Rep of Indonesia' was signed in Jakarta.

Therefore, regarding the above, could you please confirm if your office holds a copy of this MOU. If so, please provide IO Executive Support with a copy and your approval to release to the applicant; noting the option for exemption under Section 33.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 29 August 2017 12:35 PM
To: s 47E(d) s 22(1)(a)(ii)
Cc: s 47E(d)
Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 22(1)(a)(ii)

We will check our records for any trace of this MOU and get back to you.

Thanks and regards,

s 22(1)(a)(ii)



s 22(1)(a)(ii)
SENIOR LIAISON OFFICER JAKARTA
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 29 August 2017 6:49 AM
To: s 22(1)(a)(ii) s 47E(d)
Cc: s 47E(d)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good Morning s 22(1)(a)(ii)

The AFP has received a request under the *Freedom of Information Act 1982* (Cth) from Asher Hirsch, Right to Know seeking access to documents in the following terms:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

Grateful if you would provide all relevant documents, which relate to the above request including emails, PROMIS entries, photos, documents contained on local drives and diary note entries etc. EST will forward to FOI on receipt who will apply redactions then seek clearance from all relevant parties. If you believe it to be a voluminous request (500 pages or more), please advise our team as soon as possible.

Please refer to Section 33 of the User Guide (attached) if you wish to seek an exemption for this request.

Please provide your response to IO-Governance by **COB Thursday 31 August 2017** to enable sufficient time for relevant approvals.

Kind Regards ,

s 22(1)(a)(ii)

s 22(1)(a)(ii)

IO GOVERNANCE TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)

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AUSTRALIAN FEDERAL POLICE
UNDER THE FREEDOM OF
INFORMATION ACT 1982

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) on behalf of s 47E(d)
Sent: Wednesday, 20 September 2017 8:56 AM
To: FOI
Cc: s 22(1)(a)(ii) s 47E(d) s 22(1)(a)(ii)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]
Categories: INFO ACCESS

UNCLASSIFIED

Good morning s 22(1)(a)(ii)

After reviewing the documents from RMU, we can confirm that the documents do not relate to this FOI request.

A thorough search has been conducted to locate documents that may relate to this request, which included IO-A Base, AFP Legal, Post and external web sites.

IO provide a 'Nil' response for this request.

Kind regards,

s 22(1)(a)(ii)

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Thursday, 14 September 2017 10:11 AM
To: FOI
Cc: s 47E(d)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 22(1)(a)(ii)

I am waiting on some documents from RMU which were sent to me two days ago – hoping I will get them today....

Regards,

s 22(1)(a)(ii)

CRM2018/236

s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
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UNCLASSIFIED

From: FOI
Sent: Thursday, 14 September 2017 9:38 AM
To: s 22(1)(a)(ii)
Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Hi s 22(1)(a)(ii)

In relation to the below emails, I note that no further correspondence has been received by your area for FOI consideration.

It would be appreciated if you could please provide all relevant documents as a matter of urgency as a decision is due to the applicant by 21 September.

Happy to discuss.

Thanks
s 22(1)(a)(ii)

s 22(1)(a)(ii)
TEAM MEMBER, FREEDOM OF INFORMATION
LEGAL
s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 12 September 2017 11:28 AM
Cc: FOI
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

We have a couple of FOI requests that require a response from Post – please see below in relation to FOI CRM 2018/125. I will forward the second FOI request in a separate email.

Noting [redacted] s 22(1)(a)(ii) advice that they could not locate the document, could we please confirm this is the case.

Responses to FOI team were due by 7 September 2017.

Kind regards,

[redacted] s 22(1)(a)(ii)

[redacted] s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
[redacted] s 22(1)(a)(ii)
www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

UNCLASSIFIED

From: [redacted] s 22(1)(a)(ii) **On Behalf Of** [redacted] s 47E(d)
Sent: Friday, 1 September 2017 10:26 AM
To: [redacted] s 22(1)(a)(ii) [redacted] s 47E(d) [redacted] s 22(1)(a)(ii)
Cc: [redacted] s 47E(d) [redacted] s 22(1)(a)(ii)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Sir

In relation to this FOI request, we have had a response from [redacted] s 22(1)(a)(ii) advising that they are unable to locate any information pertaining to this. However, we note that you emailed IO Governance on the 3 August 2017 and attached a 'CHRONOLOGICAL OF MOU AND OTHER MAJOR COMMITMENTS BETWEEN AFP – POLRI', which notes the following:

On 15th September 2000 a document titled 'Protocol Under the Memorandum of Understanding between the Indonesian National Police and the Australian Federal Police on the Targeting of the People Smuggling Syndicates Located in the Rep of Indonesia' was signed in Jakarta.

Therefore, regarding the above, could you please confirm if your office holds a copy of this MOU. If so, please provide IO Executive Support with a copy and your approval to release to the applicant; noting the option for exemption under Section 33.

Kind regards,

[redacted] s 22(1)(a)(ii)

[redacted] s 22(1)(a)(ii)
EXECUTIVE SUPPORT TEAM
INTERNATIONAL OPERATIONS
[redacted] s 22(1)(a)(ii)



POLICING FOR
A SAFER AUSTRALIA

UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 29 August 2017 12:35 PM
To: s 47E(d) s 22(1)(a)(ii)
Cc: s 47E(d)
Subject: RE: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 22(1)(a)(ii)

We will check our records for any trace of this MOU and get back to you.

Thanks and regards,

s 22(1)(a)(ii)

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s 22(1)(a)(ii)
SENIOR LIAISON OFFICER JAKARTA
INTERNATIONAL OPERATIONS
s 22(1)(a)(ii)
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UNCLASSIFIED

From: s 22(1)(a)(ii)
Sent: Tuesday, 29 August 2017 6:49 AM
To: s 22(1)(a)(ii) s 47E(d)
Cc: s 47E(d)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good Morning s 22(1)(a)(ii)

The AFP has received a request under the *Freedom of Information Act 1982* (Cth) from Asher Hirsch, Right to Know seeking access to documents in the following terms:

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Please refer to Section 33 of the User Guide (attached) if you wish to seek an exemption for this request.

Please provide your response to IO-Governance by **COB Thursday 31 August 2017** to enable sufficient time for relevant approvals.

Kind Regards ,

s 22(1)(a)(ii)

s 22(1)(a)(ii)

IO GOVERNANCE TEAM
INTERNATIONAL OPERATIONS

s 22(1)(a)(ii)

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INFORMATION ACT 1982

FOI CHECKLIST FOR LINE AREAS

In accordance with the *Freedom of Information Act 1982* (Cth) and the National Guideline on Freedom of Information (<http://afphub.afp.le/GovernanceFramework/NationalGuideline/Pages/SN00005.aspx>) please complete the checklist and return to the FOI Team together with any relevant documents relating to the FOI Request.

<p align="center">Scope of request</p> <p>Ensure you understand the scope of the request.</p> <ul style="list-style-type: none"> If the scope is unclear, liaise with the FOI Team to clarify with the applicant. Consider whether the request is too broad or there are a large number of documents. <p>If the request is unclear, too broad, or large; please complete the relevant questions below in order for the FOI Team to consider a refusal. If not, proceed to the 'Search and Retrieval' section.</p> <p><u>Practical refusal reason/notice:</u></p> <ol style="list-style-type: none"> What makes the request unclear? Where are the documents stored, (i.e. how many locations, drives, etc.)? What is the document/file count/GB/MB? Are you able to estimate how many pages there are? TIP: every 1cm of printed 80 gsm paper is approximately 100 pages. What other areas of the AFP may hold documents? Does the content of the documents require third party consultations? If so, how many? How many team members and how long would it take them to retrieve and make a preliminary assessment of the documents? <p>The AFP is required to consult with an applicant under a practical refusal notice and assist the applicant to make a revised request.</p> <ol style="list-style-type: none"> What are some ways the applicant can revise their request (i.e. limiting to specific types of documents, specifying a shorter timeframe, etc.)? 	<p align="right">Completed</p> <p align="center">✓</p> <p align="center">✓</p> <p align="center">✓</p>												
<p align="center">Search and Retrieval of Documents</p> <ul style="list-style-type: none"> Identify the documents that fall within the scope of the request Provide a coordinated response from your team/s Provide an un-redacted, consolidated copy of the documents in PDF form electronically to the FOI Team by the due date in the covering e-mail Provide an additional consolidated copy of the documents in PDF form electronically with the parts highlighted considered exempt to the FOI Team by the due date in the covering e-mail Ensure documents sent to the FOI Team are handled according to security requirements, as necessary. The following searches have been undertaken: <table border="0"> <tr> <td><input checked="" type="checkbox"/> PROMIS</td> <td><input type="checkbox"/> Field Notebook(s)</td> </tr> <tr> <td><input checked="" type="checkbox"/> AFP Email System (Outlook)</td> <td><input checked="" type="checkbox"/> Electronic directors (H:, J:, S: drives etc.)</td> </tr> <tr> <td><input checked="" type="checkbox"/> Official AFP files (RMU)</td> <td><input type="checkbox"/> Lockable safes</td> </tr> <tr> <td><input type="checkbox"/> Official Diary/Diaries</td> <td><input type="checkbox"/> USB/data storage devices</td> </tr> <tr> <td><input type="checkbox"/> AFPSEC/AFPTSN</td> <td><input checked="" type="checkbox"/> CMS</td> </tr> <tr> <td><input checked="" type="checkbox"/> Other (please specify): <u>Indo website - agreements.</u></td> <td></td> </tr> </table>	<input checked="" type="checkbox"/> PROMIS	<input type="checkbox"/> Field Notebook(s)	<input checked="" type="checkbox"/> AFP Email System (Outlook)	<input checked="" type="checkbox"/> Electronic directors (H:, J:, S: drives etc.)	<input checked="" type="checkbox"/> Official AFP files (RMU)	<input type="checkbox"/> Lockable safes	<input type="checkbox"/> Official Diary/Diaries	<input type="checkbox"/> USB/data storage devices	<input type="checkbox"/> AFPSEC/AFPTSN	<input checked="" type="checkbox"/> CMS	<input checked="" type="checkbox"/> Other (please specify): <u>Indo website - agreements.</u>		<p align="right">Completed</p> <p align="center">✓</p> <p align="center">✓</p> <p align="center">✓</p> <p align="center">N/A</p>
<input checked="" type="checkbox"/> PROMIS	<input type="checkbox"/> Field Notebook(s)												
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<input type="checkbox"/> AFPSEC/AFPTSN	<input checked="" type="checkbox"/> CMS												
<input checked="" type="checkbox"/> Other (please specify): <u>Indo website - agreements.</u>													
<p align="center">Issues Management</p> <p>The provision of documents to the FOI Team does not automatically disclose the documents to applicant. When providing documents to the FOI Team please provide any overarching concerns with respect to the content of the documents. To assist you please tick any relevant concerns below and provide comments when returning the documents to the FOI Team.</p> <table border="0"> <tr> <td><input type="checkbox"/> International relations</td> <td><input type="checkbox"/> National Security</td> <td><input type="checkbox"/> Third party business information</td> </tr> <tr> <td><input type="checkbox"/> Third party personal information</td> <td><input type="checkbox"/> Ongoing investigation</td> <td><input type="checkbox"/> Cabinet documents (PM&C consult mandatory)</td> </tr> <tr> <td><input type="checkbox"/> Law enforcement information, i.e. confidential source/security or safety concerns of individuals/ongoing investigation/matter before the courts/methodology</td> <td><input type="checkbox"/> Trade secrets or commercially sensitive material</td> <td></td> </tr> </table>	<input type="checkbox"/> International relations	<input type="checkbox"/> National Security	<input type="checkbox"/> Third party business information	<input type="checkbox"/> Third party personal information	<input type="checkbox"/> Ongoing investigation	<input type="checkbox"/> Cabinet documents (PM&C consult mandatory)	<input type="checkbox"/> Law enforcement information, i.e. confidential source/security or safety concerns of individuals/ongoing investigation/matter before the courts/methodology	<input type="checkbox"/> Trade secrets or commercially sensitive material		<p align="right">Completed</p> <p align="center">✓</p> <p align="center">N/A</p>			
<input type="checkbox"/> International relations	<input type="checkbox"/> National Security	<input type="checkbox"/> Third party business information											
<input type="checkbox"/> Third party personal information	<input type="checkbox"/> Ongoing investigation	<input type="checkbox"/> Cabinet documents (PM&C consult mandatory)											
<input type="checkbox"/> Law enforcement information, i.e. confidential source/security or safety concerns of individuals/ongoing investigation/matter before the courts/methodology	<input type="checkbox"/> Trade secrets or commercially sensitive material												
<p align="center">Extensions of time</p> <p>If it becomes apparent during the processing of this request that the initial processing period of 30 days will be insufficient, please contact the FOI Team to discuss to consider either:</p> <ul style="list-style-type: none"> Extension with agreement of applicant (s15AA); or Extension for complex/voluminous requests (s15AB) 	<p align="right">Completed</p> <p align="center">✓</p> <p align="center">* Staff issues past so RMU documents took 4 days to arrive.</p>												
<p align="center">Consultation</p> <p>Do third parties need to be consulted in relation to the following information within the documents?</p> <ul style="list-style-type: none"> Information that originated with or was received from a State government or authority* Business related information* Personal information* Foreign governments or international organisations* Other Commonwealth Departments or Agencies <p>Does the AFP need to consider advising other Commonwealth Departments or Agencies of this FOI request, or preparing Media Talking Points?</p> <p>Comments: _____</p> <p><small>* A 30-day extension of time will automatically be added to the initial processing period, to allow time to consult with these individuals/entities.</small></p>	<p align="right">Completed</p> <p align="center">✓</p> <p align="center">N/A</p> <p align="center">✓</p>												
<p align="center">Time Recording</p> <p>In <i>Insight!</i> time recording, record time spent working on this FOI request with the 'short text' field 'FOI'.</p>	<p align="right">Completed</p> <p align="center">✓</p>												
<p align="center">Deadline for completion</p> <p>Ensure that you meet the deadline in the covering e-mail, and/or liaise with the FOI Team concerning delays.</p>	<p align="right">Completed</p> <p align="center">✓</p>												

Office of the Commissioner



AFP
AUSTRALIAN FEDERAL POLICE

REF: CMS	2017 - 9543
Date:	8 September 2017
FROM :	s 22(1)(a)(ii)
SUBJECT :	FOI – CRM 2018/125

<input type="checkbox"/>	CoS	<input type="checkbox"/>	COO	<input type="checkbox"/>	DCNS	<input checked="" type="checkbox"/>	DCO	<input type="checkbox"/>	DCC
<input type="checkbox"/>	CPO ACT								

Good Morning FOI Team,

The Commissioner's office has no visibility on paper work etc relating to 2002

Our response to this FOI is nil.

Kind regards

s 22(1)(a)(ii)

FOI team
~~THIS DOCUMENT IS DE-CLASSIFIED AND RELEASED BY THE AUSTRALIAN FEDERAL POLICE UNDER THE FREEDOM OF INFORMATION ACT 1982~~
 I am sure this request has also been sent to relevant line areas?
 If not please do so despite the commissioner's office having a nil return.
 Thanks
 [Signature]
 A/coo
 13/9/17

s 22(1)(a)(ii)

From: FOI
Sent: Monday, 28 August 2017 9:27 AM
To: s 22(1)(a)(ii) s 47E(d)
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]
Attachments: Application.pdf; FOI CHECKLIST FOR LINE AREAS.docx; FOI User Guide.docx

UNCLASSIFIED

Dear s 22(1)(a)(ii) & International,

The AFP has received a request under the *Freedom of Information Act 1982* (Cth) from Asher Hirsch, Right to Know seeking access to documents in the following terms:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

Next Steps - Line Area Compliance

The FOI Team would be grateful if you would undertake the necessary and relevant searches to locate the relevant documents.

To assist you in this process, please refer to the attached **FOI CHECKLIST FOR LINE AREAS** for guidance, **completion and return** to the FOI Team. In addition, please find attached an FOI User Guide, for your reference.

Should there be no documents relative to this request, please provide a "nil" return.

Should this chaser be sent to other line areas, including the Executive (if relevant to the scope of the request), please advise the FOI Team.

When highlighting documents, DO NOT use a texta to completely black out material.

Due to statutory timeframes within the legislation that the AFP **must** meet, we require a response from you by **7 September 2017**.

If you require any further information, please do not hesitate to contact me.

Kind Regards,

s 22(1)(a)(ii)
TEAM MEMBER, FREEDOM OF INFORMATION
LEGAL

s 22(1)(a)(ii)
www.afp.gov.au



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A SAFER AUSTRALIA

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AUSTRALIAN FEDERAL POLICE
UNDER THE FREEDOM OF
INFORMATION ACT 1982

From: FOI
Sent: Thursday, 14 September 2017 11:39 AM
To: 'enquiries@oaic.gov.au'
Subject: 15AA Extension Notification - AFP - CRM 2018/125 [SEC=UNCLASSIFIED]
Attachments: 15AA response - AGREED.pdf

UNCLASSIFIED

Dear Commissioner,

On the 22 August 2017, the AFP received a request from Asher Hirsch (Right to Know) under the *Freedom of Information Act 1982* (the Act) seeking access to documents in relation to a Memorandum of understanding, in particular:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

Contact Details for applicant: Asher Hirsch
Email: foi+request-4045-0df25797@righttoknow.org.au

A decision regarding Mr Hirsch request was required by 21 September 2017 however, due to a requirement to undertake further enquiries with the line areas to ensure all relevant documents are located, the AFP determined that 30 days was insufficient time to process the request.

In accordance with section 15AA of the Act, the AFP contacted Mr Hirsch on this date and advised them of the delay and sought an additional 30 days to complete the request.

Mr Hirsch responded in writing on this date agreeing to a decision being provided by 21 October 2017.

A copy of the applicant's agreement to the extension is included below.

If you require further information regarding this matter, please contact the writer.

Please forward any correspondence in relation to this matter to foi@afp.gov.au.

Yours sincerely,

s 22(1)(a)(ii)

TEAM MEMBER, FREEDOM OF INFORMATION
LEGAL

s 22(1)(a)(ii)

www.afp.gov.au



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From: Asher Hirsch <foi+request-4045-0df25797@righttoknow.org.au>
Sent: Thursday, 14 September 2017 10:35 AM
To: FOI
Subject: Re: Freedom of Information request - CRM 2017/125 [SEC=UNCLASSIFIED]

Dear FOI,

I agree to an extension of time and note the new due date of 21 October 2017.

Yours sincerely,

Asher Hirsch

-----Original Message-----

UNCLASSIFIED

Dear Asher Hirsch,

I refer to your email dated 22 August 2017 in which you seek access to documents under the Freedom of Information Act 1982.

Upon consideration of your request, the AFP is of the view that your request will take longer than 30 days to process. The delay is regrettable, however, due to delays being experienced by the relevant AFP line areas, who are still in the process of gathering the information, and the subsequent delays in receiving the documents by this office, it will not be possible to advise you of a decision by 21 September 2017.

Accordingly, pursuant to section 15AA of the Act, I seek your agreement to extend the period to notify you of a decision to 21 October 2017.

I would be grateful if you would advise this office in writing of your agreement to the proposed extension of time.

If you have any queries in relation to this matter, please do not hesitate to contact this office.

Yours sincerely,

s 22(1)(a)(ii) (AFP14692)
TEAM MEMBER, FREEDOM OF INFORMATION
LEGAL

[1]www.afp.gov.au

UNCLASSIFIED

References

Visible links

1. <http://www.afp.gov.au/>

Please use this email address for all replies to this request:
foi+request-4045-0df25797@righttoknow.org.au

This request has been made by an individual using Right to Know. This message and any reply that you make will be published on the internet. More information on how Right to Know works can be found at:

<https://www.righttoknow.org.au/help/officers>

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

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INFORMATION ACT 1982

From: FOI
Sent: Thursday, 14 September 2017 9:44 AM
To: 'Asher Hirsch'
Subject: Freedom of Information request - CRM 2017/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Asher Hirsch,

I refer to your email dated 22 August 2017 in which you seek access to documents under the *Freedom of Information Act 1982*.

Upon consideration of your request, the AFP is of the view that your request will take longer than 30 days to process. The delay is regrettable, however, due to delays being experienced by the relevant AFP line areas, who are still in the process of gathering the information, and the subsequent delays in receiving the documents by this office, it will not be possible to advise you of a decision by 21 September 2017.

Accordingly, pursuant to section 15AA of the Act, I seek your agreement to extend the period to notify you of a decision to 21 October 2017.

I would be grateful if you would advise this office in writing of your agreement to the proposed extension of time.

If you have any queries in relation to this matter, please do not hesitate to contact this office.

Yours sincerely,

s 22(1)(a)(ii) (AFP14692)
TEAM MEMBER, FREEDOM OF INFORMATION
LEGAL
Tel +61(0) 2 61316131
www.afp.gov.au

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INFORMATION ACT 1982



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UNCLASSIFIED

From: Asher Hirsch <foi+request-4045-0df25797@righttoknow.org.au>
Sent: Wednesday, 23 August 2017 6:31 PM
To: FOI
Subject: Re: Thankyou for your Email - Freedom of Information [SEC=UNCLASSIFIED]
Categories: New Request

Dear FOI,

To provide further clarification on this request, here is a little more information about the documents I am seeking:

I am seeking a specific protocol between the AFP and Indonesian National Police to target people smuggling syndicates operating out of Indonesia. The Protocol was established on 15 September 2000 and is part of a broader Memorandum of Understanding (MOU) between the AFP and INP to cooperate on investigations into transnational crime. That MOU was originally agreed on 27 October 1995 and renewed on 13 June 2002. I am requesting both the MOU and the protocol.

Yours sincerely,

Asher Hirsch

-----Original Message-----

Thank you for your email.

Please note that this is an automated response to confirm that your email was sent to the Australian Federal Police Freedom of Information (FOI) inbox.

This FOI inbox is monitored between 8am and 4pm Monday to Friday, excluding public holidays and the period from 27-31 December.

If you wish to lodge a request for access to documents under the Freedom of Information Act 1982 (FOI Act), please ensure that your request is in writing, states that it is an application for the purposes of the FOI Act and provides sufficient detail describing the documents you wish to access.

If you are requesting personal information about yourself then please ensure you enclose a copy of your photographic identification.

Further details on how to make a valid FOI request can be found on the Australian Federal Police's website at: <http://www.afp.gov.au/about-the-afp/foi-requests.aspx>

The Australian Federal Police will acknowledge your request in accordance with the legislative requirements of the Act.

The FOI Team can be contacted on 02 6131 6131

Please use this email address for all replies to this request:
foi+request-4045-0df25797@righttoknow.org.au

This request has been made by an individual using Right to Know. This message and any reply that you make will be published on the internet. More information on how Right to Know works can be found at: <https://www.righttoknow.org.au/help/officers>

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INFORMATION ACT 1982

From: FOI
Sent: Monday, 28 August 2017 9:08 AM
To: 'Asher Hirsch'
Subject: Freedom of Information request - CRM 2018/125 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Asher Hirsch,

I refer to your application dated 22 August 2017 in which you seek access to documents under the *Freedom of Information Act 1982* (the Act) as follows:

"In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol."

Information considered irrelevant to the scope of your request

The AFP, in its management of FOI requests, excludes the following information on the basis that is irrelevant to the scope of a request:

- Names of AFP members, other than the Senior Executive.
- Direct telephone numbers, signatures and mobile telephone numbers of AFP members.
- Duplicate documents, including duplicate emails. The AFP will only provide emails where they form a final email chain and the authors/recipients are contained within the final email.
- Information that is publicly available, for example, newspaper articles, online publications including information available on the AFP Information Publication Scheme and the AFP disclosure log.

If you object to the AFP excluding any of the above information, please advise this office within seven days of receipt of this letter.

Your request was received by this agency on 22 August 2017 and the 30 day statutory period for processing your request commenced from that date.

You will be notified of any charges in accordance with the *Freedom of Information (Fees and Charges) Regulations*, should they apply, in relation to your request as soon as practicable.

Disclosure Log

Please be advised that in accordance with section 11C of the Act, an agency is required to publish information on their website following the notification of a decision in respect of a freedom of information request.

The requirement to publish information released under FOI reinforces the objectives of the FOI Act to promote a pro-disclosure culture across government and to increase recognition that information held by government is a national resource. Exceptions to the requirement to publish information would apply to personal information and information

concerning the business affairs of a person if it was considered 'unreasonable' to do so. Details of the decision may be published in a Disclosure Log which can be found at <https://www.afp.gov.au/about-us/information-publication-scheme/routinely-requested-information-and-disclosure-log>. Publication will be made in accordance with timeframes stipulated in section 11C of the Act.

If, however, after noting the above, you wish to raise any concerns about the publication of information concerning your request prior to the notification of a decision, please advise this office in writing before 21 September 2017. If you do not raise any concerns prior to the date of the decision, the AFP will publish the information as notified to you in the decision.

Yours sincerely

s 22(1)(a)(ii) (AFP14692)

TEAM MEMBER, FREEDOM OF INFORMATION

LEGAL

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UNCLASSIFIED

From: Asher Hirsch <foi+request-4045-0df25797@righttoknow.org.au>
Sent: Tuesday, 22 August 2017 10:39 PM
To: FOI
Subject: Freedom of Information request - MOU to target people smuggling syndicates operating out of Indonesia

Categories: New Request

Dear Australian Federal Police,

In 2002, AFP Commissioner Keelty told the Certain Maritime Incident (CMI) Committee that on the 15th September 2000 a "specific protocol under the MOU [Memorandum of Understanding] to target people smuggling syndicates operating out of Indonesia" was agreed to by the AFP and their counterparts the Indonesian National Police.

The CMI Committee at the time requested the Protocol and MOU. It is not clear if this protocol and MOU was ever produced to the Committee.

I request under the Freedom of Information Act the MOU referred to above and the related Protocol.

For background to this request, you can read the Additional Comments to the CMI Report by Senator John Faulkner here:

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Former_Committees/maritimeincident/report/e02t

Yours faithfully,

Asher Hirsch

Please use this email address for all replies to this request:
foi+request-4045-0df25797@righttoknow.org.au

Is foi@afp.gov.au the wrong address for Freedom of Information requests to Australian Federal Police? If so, please contact us using this form:

https://www.righttoknow.org.au/change_request/new?body=afp

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