



Australian Government
Department of Defence

Reference: AM3613862

FOI 326/17/18 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by Ms Fiona Brandis-Dalton under the Freedom of Information Act 1982 (FOI Act), for access to:

“Any record that shows the number and percentage of Defence Members across all three arms (Army, Navy and Airforce) who are deployed to operations overseas WITHOUT submitting the mandatory National Welfare Coordination Centre (NWCC) form”.

FOI decision maker

2. I am the accredited officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

Documents identified

3. No documents were identified as matching the description of the request.

Decision

4. I have decided to refuse access to documents of the request under subparagraph 24A(1)(b)(ii)[Requests may be refused if documents cannot be found, do not exist or have not been received] of the FOI Act.

Material taken into account

5. In making my decision, I had regard to:
- the terms of the request;
 - the content of the identified documents in issue;
 - relevant provisions in the FOI Act;
 - the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines); and
 - advice from Headquarters Joint Operations Command (HQJOC).

Reasons for decision

Section 24A (1) of the FOI Act

6. Section 24A(1) of the FOI Act states:

24A Requests may be refused if documents cannot be found, do not exist or have not been received

Document lost or non-existent

(1) An agency or Minister may refuse a request for access to a document if:

- all reasonable steps have been taken to find the document; and*
- 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.*

7. I have consulted with HQJOC staff and am advised that no relevant documents can be located. I am advised that HQJOC staff undertook several searches of the Defence Document and Records Management System (DRMS) and found no documents matching the scope of the request.

8. Based on the above, I am satisfied that no documents could reasonably be found matching the scope of this request. Accordingly, I have decided to refuse access under section 24A of the FOI Act.

Further Information

9. While documents matching the request could not be located, HQJOC staff have compiled a table of AC989 returns for operations to show the current compliance rate by deploying staff. This table is a snapshot of returns for extant deployments only. Owing to changes in information systems, the generation of historical versions of this table is beyond the capacity of HQJOC staff.

Description	% AC989s returned
OP HIGHROAD	97%
OP ASLAN	83%
OP OKRA	86%
OP PALADIN	100%
OP MAZURKA	86%
OP MANITOU	94%
OP ACCORDION	85%
OP RESOLUTE	71%
Rifle Company Butterworth	99%
Other	91%
Total	90%

N.A. CRAM
Group Captain
Accredited Decision Maker
Joint Operations Command Group