



**Australian Government**

**Department of Health**

Department Reference: FOI 269-1718

Mr Michael Shephard

Via email: [foi+request-4472-2310ae58@righttoknow.org.au](mailto:foi+request-4472-2310ae58@righttoknow.org.au)

Dear Mr Shephard,

**NOTICE OF DECISION**

I refer to your request to the Department of Health (Department) of 6 April 2018, seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

*'The Standing Committee for Screening is reviewing the document 'Position Statement on Breast Density and Screening 2016.' It plans to complete its review in 2018. It has set up a working party and has a 3<sup>rd</sup> party consultancy group conducting a literature review on its behalf.*

*I request the following documents:*

- 1. All minutes of all Working Party meetings held thus far.*
- 2. The most recent draft of the Literature review provided to the working party by the consultancy group.'*

The Department advised you in writing on 1 May 2018 that preliminary searches conducted indicated that the Department does not appear to hold any documents within the scope of your request. The Department also advised that the Standing Committee on Screening (SCoS) has not initiated a review of the 2016 BreastScreen Australia Position Statement on Breast Density and Screening. However, the Department [emphasis added], is currently overseeing a review of the latest evidence on breast density.

You responded asking for the meeting minutes of the working party managing the literature review and if a draft literature review exists.

I am writing to advise you of my decision.

**Decision**

I am authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

All reasonable steps have been taken to find the documents referred to in your request including a thorough and extensive search and consultation with the relevant policy and program areas.

I am satisfied that the documents referred to in your request do not exist.

The Department of Health is overseeing a review of evidence on breast density which will inform consideration of an update of the SCoS 2016 BreastScreen Australia Position Statement if the evidence indicates that an update is warranted. Once the review of evidence has been completed the results will also be published on the [cancerscreening.gov.au](http://cancerscreening.gov.au) website. The Department has established a Technical Reference Group to provide advice on a number of technical issues relating to breast screening including breast density.

To assist you in any future requests that you may submit to the Department, you may wish to state in your request that you are seeking documents that are in the Department's possession.

As a consequence, I refuse access to the documents referred to in your request pursuant to section 24A of the FOI Act.

### **Review rights**

If you are dissatisfied with my decision, you may apply for an internal review or Australian Information Commissioner (Information Commissioner) review of the decision.

#### Internal review

Under section 54 of the FOI Act, you may apply in writing to the Department for an internal review of my decision. The internal review application must be made within 30 days of the date of this notice (or such further period as the Department allows). Where possible please provide reasons why you consider review of the decision is necessary. The internal review will be carried out by another officer of this Department within 30 days. An application for an internal review should be addressed to either of the following:

Email: [FOI@health.gov.au](mailto:FOI@health.gov.au)

OR

Mail: FOI Unit (MDP 350)  
Department of Health  
GPO Box 9848  
CANBERRA ACT 2601

Information Commissioner Review

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review my decision. An application for review must be made in writing within 60 days of this notice (if you do not request an internal review).

The Australian Information Commissioner can be contacted by:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Phone: 1300 363 992

More about the Information Commissioner review is available on the Office of the Australian Information Commissioner (OAIC) website at <http://www.oaic.gov.au/freedom-of-information/requesting-a-review>

You may also make a complaint to the Information Commissioner about action taken by the Department in relation to your application. Further information can be obtained from the OAIC website.

**Relevant provisions**

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:  
<https://www.legislation.gov.au/Details/C2018C00016>

**Contacts**

If you require clarification of any of the matters discussed in this letter you should contact the Department's FOI Unit on (02) 6289 1666 or via email [FOI@health.gov.au](mailto:FOI@health.gov.au).

Yours sincerely



Alice Creelman  
Assistant Secretary  
Cancer Policy and Services Branch

2 May 2018