



Australian Government  
Department of Communications

**FOI REQUEST NO. 39-1314**

**Sam Silvester, Righttoknow.org.au**

**ACCESS DECISION**

**STATEMENT OF REASONS**

I, Elizabeth Lawler, Manager, FOI Unit, Legal Division of the Department of Communications (**the Department**):

- (a) being authorised by the Secretary under subsection 23(1) of the *Freedom of Information Act 1982* (**the FOI Act**) to make decisions about access to documents under the FOI Act, and
- (b) required under section 26 of the FOI Act to provide a Statement of Reasons for my decision,

make the following statement setting out my findings on material questions of fact, referring to the evidence or other material upon which those findings were based and giving the reasons for my decision.

**A. BACKGROUND**

1. On 20 February 2014, the Department received a request from Sam Silvester (**the applicant**), via Righttoknow.org.au, under section 15 of the FOI Act, requesting access to the following:  
  
*“any documents, reports and statistics relating to how many times the Cybersafety Help Button application has been downloaded. If possible, a breakdown of the statistics by each platform would be appreciated.”*
2. I have decided not to impose any charges in relation to the processing of this FOI request.

**B. DECISION**

3. There is a document entitled ‘Monthly Cybersafety Help Button Statistics 2014’ that is covered by the applicant’s request and is held by the Department.

4. I hereby decide that parts of the document are irrelevant to the request and the document is to be released with the irrelevant parts deleted under section 22 of the FOI Act.

### **C. FINDINGS ON MATERIAL QUESTIONS OF FACT**

5. The Australian Government's Cybersafety Help Button is a free application that provides internet users, particularly children and young people, with easy online access to cybersafety information and assistance available in Australia. It offers counselling, reporting and educational resources to assist young people deal with online risks including cyberbullying, unwanted contact, scams and fraud, and offensive or inappropriate material
6. Following a thorough review of the Department's records, the document mentioned in paragraph 3 above was identified.

### **D. MATERIAL ON WHICH MY FINDINGS OF FACT ARE BASED**

7. I based my findings of fact on the following material:
  - the applicant's FOI request; and
  - the content of the document falling within the scope of the applicant's request.

### **E. COMMENT**

8. I note that the identified document provides information on download statistics as at the date of the FOI request, and limited information on installation of the application on specific devices and browsers. I also note that the information cannot be considered comprehensive, as a range of data is not available to the Department.
9. In relation to the platform used to download the application, I note that the Cybersafety Help Button (Help Button) can be installed in a number of ways. It exists as an add-on to web browsers such as Internet Explorer, Mozilla Firefox and Google Chrome. It can be downloaded onto compatible Android, Windows Phone and BlackBerry devices via the relevant application marketplaces and the Department supplies multiple installation packages for large networks (such as school networks) upon request. Specific platform statistics are not captured, however downloads of each of the above forms of the Help Button, where available, are provided in this response.
10. I also note that in December 2013 the Cybersafety Help Button was added to the TelstraOne application and is now accessible on over 1 million Telstra devices.
11. The January 2014 figures in the attached spreadsheet show download statistics and cumulative totals as at the date of the FOI request.

## **F. REASONS FOR DECISION**

12. In considering the application of the exemptions discussed below, I have had regard to the relevant provisions of the FOI Act and the following relevant guidelines:
  - the Freedom of Information Guidelines made under section 93A of the FOI Act by the Office of the Australian Information Commissioner (**the OAIC**); and
  - the Department's Guidelines for Processing Freedom of Information Requests.
13. In making my decision on the available document, I have had regard to section 22 of the FOI Act in order to determine whether a copy of the document, modified by deletions, may be prepared and access given to that modified copy.

### **Section 22 – Deletion of Exempt or Irrelevant Material**

14. Section 22 of the FOI Act provides that if the Department decides that granting access to a document would disclose information that would be exempt or reasonably be regarded as irrelevant to the request, then, where it is reasonably practicable to prepare a copy with deletions to exempt or irrelevant material, such a copy should be provided.
15. I find that parts of the document are irrelevant to the scope of the request for different reasons.
16. Information on December 2013 downloads and the specified organisations downloading the information is unnecessary because it forms a subset of the statistics shown for January 2014.
17. Information on data usage is not relevant to this request for download statistics.
18. URL and login details associated with download platforms are irrelevant to this request for download statistics.
19. I am satisfied that the parts mentioned above are not necessary to understand the context or subject matter of the document and those details are considered irrelevant. I therefore find that the document contains irrelevant information that falls outside the scope of the request. I have decided to apply section 22 of the FOI Act to delete irrelevant material in respect of the document, in order to facilitate the release of the remainder of the document.

## **G. REVIEW RIGHTS**

20. This decision is subject to review under section 54 and/or 54L of the FOI Act. The OAIC's FOI Fact Sheet 12 – Your review rights is attached for information.

## H. INFORMATION PUBLICATION SCHEME

21. In accordance with section 11C of the FOI Act, where the Department gives access to a document under section 11A of the FOI Act, the Department must publish that information on its website within 10 working days after the day an applicant is given access to the documents.
22. Please see [www.oaic.gov.au](http://www.oaic.gov.au) for more information about the Information Publication Scheme



Elizabeth Lawler  
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Legal Division

24 March 2014