



13 August 2019

Ms K Hepworth

**BY EMAIL:** [foi+request-5556-05c16fe5@righttoknow.org.au](mailto:foi+request-5556-05c16fe5@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 19/08/00332

File Number: ADF2019/24808

Dear Ms Hepworth

**Freedom of Information (FOI) request - Access Decision**

On 2 August 2019, the Department of Home Affairs (the Department) received a request for access to documents under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

**1 Scope of request**

You have requested access to the following documents:

*All documents arising out of FOI request FA 19/05/01346*

**2 Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate records.

**3 Relevant material**

In reaching my decision I referred to the following:

- the terms of your request
- the documents relevant to the request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from Departmental officers with responsibility for matters relating to the documents to which you sought access

#### **4 Documents in scope of request**

The Department has identified 14 documents as falling within the scope of your request. These documents were in the possession of the Department on 2 August 2019 when your request was received.

**Attachment A** is a schedule which describes the relevant documents and sets out my decision in relation to each of them.

#### **5 Decision**

The decision in relation to the documents in the possession of the Department which fall within the scope of your request is to release relevant information in 14 documents.

##### **5.1 Section 22 of the FOI Act – irrelevant to request**

Section 22 of the FOI Act provides that if giving access to a document would disclose information that would reasonably be regarded as irrelevant to the request, it is possible for the Department to prepare an edited copy of the document, modified by deletions, ensuring that the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request.

On 6 August 2019, the Department advised you that its policy is to exclude the personal details of officers not in the Senior Executive Service (SES), as well as the mobile and work telephone numbers of SES staff, contained in documents that fall within scope of an FOI request.

I have therefore decided that parts of documents marked 's22(1)(a)(ii)' would disclose information that could reasonably be regarded as irrelevant to your request, and have therefore prepared an edited copy of the documents, with the irrelevant material deleted pursuant to section 22(1)(a)(ii) of the FOI Act.

The remainder of the documents have been released to you as they are relevant to your request.

#### **6 Legislation**

A copy of the FOI Act is available at <https://www.legislation.gov.au/Series/C2004A02562>. If you are unable to access the legislation through this website, please contact our office for a copy.

#### **7 Your Review Rights**

##### Internal Review

If you disagree with this decision, you have the right to apply for an internal review by the Department of this decision. Any request for internal review must be provided to the Department within 30 days of you being notified of the decision. Where possible please attach reasons why you believe a review of the decision is necessary. The internal review will be carried out by an officer other than the original decision maker and the Department must make a review decision within 30 days.

Applications for review should be sent to:

By email to: [foi.reviews@homeaffairs.gov.au](mailto:foi.reviews@homeaffairs.gov.au)

OR

By mail to:  
Freedom of Information Section  
Department of Home Affairs  
PO Box 25  
BELCONNEN ACT 2617

*Review by the Office of the Australian Information Commissioner*

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see Fact Sheet 12 "Freedom of information – Your review rights", available online at <https://www.oaic.gov.au/freedom-of-information/foi-review-process>.

## **8 Making a Complaint**

You may complain to the Australian Information Commissioner about action taken by the Department in relation to your request.

Your enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

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

There is no particular form required to make a complaint to the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Department of Home Affairs as the relevant agency.

## **9 Contacting the FOI Section**

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au).



**Andrea Carroll**  
**Authorised Decision Maker**  
**Department of Home Affairs**

**ATTACHMENT A**

**SCHEDULE OF DOCUMENTS  
REQUEST UNDER *FREEDOM OF INFORMATION ACT 1982***

**FOI request:** FA 19/08/00332

<b>No</b>	<b>Date of document</b>	<b>No. of pages</b>	<b>Description</b>	<b>Decision on release</b>
1.	17/05/2019	1	Email from FOI applicant FOI request	Release in full
2.	23/05/2019	1	Email to FOI applicant Acknowledgement FOI request FA 19/05/01346	Release in full
3.	23/05/2019	2	Email from FOI Section to business area New FOI request FA 19/05/01346 – seeking documents	Release relevant information in full
4.	23/05/2019	1	Email from FOI Section to AS, FOI and Records Management FOR INFORMATION - New FOI request received by the Department	Release relevant information in full
5.	28/05/2019	2	Email from business area to FOI Section RE: New FOI Request FA 19/05/01346 – Seeking documents	Release relevant information in full
6.	29/05/2019	2	Email to business area New FOI Request FA 19/05/01346 – Seeking documents	Release relevant information in full
7.	30/05/2019	2	Email from business area RE: New FOI Request FA 19/05/01346 – Seeking documents	Release relevant information in full
8.	30/05/2019	3	Email correspondence between FOI Section and business area RE: New FOI Request FA 19/05/01346 – Seeking documents	Release relevant information in full
9.	30/05/2019	3	Email from business area to FOI Section RE: New FOI Request FA 19/05/01346 – Seeking documents	Release relevant information in full
10.	06/06/2019	3	Email from business area to FOI Section RE: New FOI Request FA 19/05/01346 – Seeking documents	Release relevant information in full

No	Date of document	No. of pages	Description	Decision on release
11.	07/06/2019	5	Email from FOI Section to business area FOI Request FA 19/05/01346 With attachment: FA190501346 - draft decision	Release relevant information in full
12.	12/06/2019	7	Email from business area to FOI Section FW: FOI Request FA 19/05/01346 With attachment: 2019-06-11_19-01-54-308	Release relevant information in full
13.	12/06/2019	2	Email from FOI Section to AS, FOI and Records Management; Media Operations, ABF Media  FOR INFORMATION – FOI Pending Decision - Katie Hepworth (Crikey.com (via Right to Know)) FA 19/05/01346	Release relevant information in full
14.	17/06/2019	5	Email from FOI Section to FOI applicant FOI request FA 19/05/01346 With attachments: FA190501346-decision	Release relevant information in full