



13 December 2019

Our reference: LEX 48034

Dear RK Crosby

Only by email: foi+request-5571-c7ffb8ac@righttoknow.org.au

Dear RK Crosby

Freedom of Information Request

I refer to your correspondence sent to the Department of Human Services (**department**) on 14 November 2019. In the correspondence you provided:

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department of Human Services's handling of my FOI request 'People with migraine on DSP'.

The response to the review request claimed the information not provided in the first response does not exist (specifically numbers of people on benefits other than DSP affected by migraine). You have provided this information to Deloitte Access Economics, as cited in their White Paper on migraine published in November 2018, so it clearly does exist. Would you like to try again?

Request for further review

Your request received on 10 August 2019 under the *Freedom of Information Act 1982 (FOI Act)*, was for:

'I would like to know how many people disabled by migraine are currently in receipt of Disability Support Pension.

Please provide any document or documents that detail the number of people with Migraine listed as their disability or illness, currently in receipt any Centrelink benefit, broken down by type of benefit. If the document can indicate the percentage of DSP or Centrelink clients affected by migraine, or if additional documents (such as the entire number of clients) can be provided in order that we can calculate percentages, that would also be very useful.

If such a document does not exist, please provide any document you have (if any) that indicates the prevalence of migraine among Centrelink clients. Note I am only looking for numbers (in order to try and calculate fiscal impact of new migraine prevention drugs currently being blocked by PBAC), not the personal details of any Centrelink client.'

On 24 September 2019, the department provided you with one document addressing part of your original request in relation to "how many people disabled by migraine are currently in receipt of Disability Support Pension". In addition, the department refused part of your request relating to "any

Centrelink benefit” under section 24A of the FOI Act. This was on the basis that all reasonable steps were taken to locate documents and they did not exist or could not be found.

On 1 October 2019 you requested an internal review of the original decision in the following terms:

‘Thank you for the information about people with migraine on DSP, this is useful information. I appreciate that was the title of the request, but the wording of the request asked for any Centrelink benefit. We have a significant belief that people with migraine who would otherwise be entitled to DSP are on Newstart long term or other benefits, providing repeated medical certificates for years to obtain exemptions from participation requirements, because of the social stigma that migraine is 'just a headache'.

If you are unable to gather medical condition information for other benefits, that's fine, just let me know. (However, we are requesting a parliamentary inquiry into the burden of migraine, so you may need to deliver this information to the Minister or relevant Committee in the near future anyway.)’

On 31 October 2019, the department provided an internal review decision affirming the decision dated 24 September 2019.

You cannot seek further internal review of your request. If you do not agree with the internal review decision you may ask the Australian Information Commissioner to review the decision. Details on how this can be done were provided in Attachment B of the decision letter dated 31 October 2019.

Further assistance

If you would like to request data from the department you may wish to direct your request to the department's statistics team. The department's statistics team can be contacted via the details provided on the department's website (under the heading Centrelink or Child Support): <https://www.humanservices.gov.au/organisations/about-us/statistical-information-and-data#contacts>

If you have any FOI questions please email FOI.LEGAL.TEAM@humanservices.gov.au

Yours sincerely

Freedom of Information Team
Employment Law and Freedom of Information Branch | Legal Services Division
Department of Human Services