



15 November 2019

**FOI Requests:**

FA 19/10/01140  
FA 19/10/01142  
FA 19/10/01143  
FA 19/10/01144  
FA 19/10/01145  
FA 19/10/01148  
FA 19/10/01150  
FA 19/10/01152  
FA 19/10/01155

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

On 21 October 2019, the Department of Home Affairs (the Department) received nine separate requests for access to documents under the *Freedom of Information Act 1982* (the FOI Act).

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

**1 Scope of request**

Each applicant requested the following:

*In 2017 \$7 million was spent on an apparent review which has at different times been labelled the Home Affairs Portfolio Capability Roadmap which was then revised to be the Home Affairs Portfolio Review. I would like to know where the \$7 million has been spent and, if on a report or series of reports, would like a copy of these documents.*

**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 FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)

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

The Department has undertaken reasonable searches in relation to any documents relevant to these requests.

The Home Affairs Portfolio Capability Roadmap is not a report of the strategic review and is therefore not in scope.

I refer you to the document tabled in the Senate on 31 July 2019 in response to Motion 54 moved by Senator the Hon Kristina Keneally, which stated there was no single consolidated report prepared as part of the strategic review process. The document also included information about the expenditure of the \$7 million allocated in the 2018-19 Portfolio Budget Statements.

A copy can be found via the following link:

<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22publications%2Ftabledpapers%2F0fbd3388-6e04-481d-926d-24f09ffa35c2%22>

#### **5 Decision**

Section 24A of the FOI Act provides that the Department may refuse a request for access to a document if all reasonable steps have been taken to find the document and the Department is satisfied that the document does not exist.

I am satisfied that the Department has undertaken reasonable searches in relation to these request and that no documents were in the possession of the Department on 21 October 2019 when the FOI requests were received. As such I am refusing access to these requests based on the application of section 24A of the FOI Act.

#### **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).



**George Thomas**  
**Authorised Decision Maker**  
**Department of Home Affairs**