



10 March 2020

Mr Asher Hirsch  
**BY EMAIL:** @

**In reply please quote:**

FOI request: FA 19/10/01411  
File number: OBJ2019/54810

Dear Mr Hirsch

***Freedom of Information Act 1982: internal review decision***

I refer to your correspondence received by the Department of Home Affairs (the Department) on 11 December 2019, in which you requested an internal review of an access refusal decision under section 54 of the *Freedom of Information Act 1982* (the FOI Act).

You have requested the Department review its decision of 28 November 2019 to grant access to documents to which you requested access on 23 October 2019.

This letter is to advise you of the Department's decision on the internal review.

**1 Scope of original request**

The Department received your original request for access to document under the FOI Act on 23 October 2019. The scope of your original request was as follows:

*A breakdown of expenditure for Regional Cooperation as per Program 1.5 of the DHA Portfolio Budget Statement for the financial years 2016-17 to 2018-19.*

**2 Original decision on access**

On 28 November 2019, the Department made its original decision on the request.

**2.1 Production of documents within scope**

In accordance with section 17 of the FOI Act, the Department used its computer system to produce one document that contained information within the scope of the request. The data produced in this document existed in the possession of the Department on 23 October 2019, when the Department received your FOI request.

**2.2 Original decision on access to documents within scope**

The Department's original decision on the document within the scope of the request was to grant access to the document in full.

### **3 Request for internal review**

On 11 December 2019, you requested the Department review its access decision of 28 November 2019. The terms of your review request were as follows:

*I requested a breakdown of expenditure for Regional Cooperation as per program 1.5 of the DHA Portfolio Budget Statement for the financial years 2016-17 to 2018/19.*

*However, the documents provided are an overview of the spending, rather than a detailed breakdown of the expenditure under this item. I am after specific details of what was spent under this item, not just the total amounts.*

*For example, how much money was given to IOM, and what were the specific projects that were contracted for? Was money spent on other items, projects, staffing costs, travel? None of this is provided.*

*The document you have provided provides no insight into the expenditure under this budget, as requested. As such, I am requesting an internal review of this decision.*

### **4 Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions on requests for access to documents, including internal reviews.

### **5 Information considered**

I have considered:

- the terms of your original request
- the submission made by you in support of your request for internal review
- records of the searches conducted by the Department in the original decision
- the documents relevant to the request
- the FOI Act; and
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines).

### **6 Internal review decision**

I have decided to set aside the original decision of the Department of 28 November 2019 and replace it with a decision:

- that the Department is able to produce a document pursuant to section 17 of the FOI Act that contains additional information within the scope of your request
- to release this document in full.

### **7 Reasons for internal review decision: production of document under section 17 of FOI Act**

The Department conducted further reasonable searches for documents. As a result of these searches, the Department determined that it holds further information relevant to the terms of your request and was able to produce an additional document

from departmental systems containing this information pursuant to section 17 of the FOI Act.

The document produced contains a summary and detailed breakdown of administered program expenditure for the Regional Cooperation Arrangement and Regional Cooperation and Capacity Building items for the financial years 2016-2017 to 2018-2019. The document provides a breakdown of expenditure at program level – of which funding for irregular migration services to Indonesia provided by the IOM is a single program – for the financial years specified.

## 8 Legislation

A copy of the FOI Act is available at <https://www.legislation.gov.au/Details/C2017C00251>. If you are unable to access the legislation through this website, please contact our office for a copy.

## 9 Your review rights

### *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>.

## 10 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 as the relevant agency.

## 11 Contact

Should you wish to discuss my decision, please do not hesitate to contact via email at [xxx.xxxxxxx@xxxxxxxxxxx.xxx.xx](mailto:xxx.xxxxxxx@xxxxxxxxxxx.xxx.xx)



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

**Attachments:** Documents released