

Jaay-H
By email: foi+request-6419-4c305d3f@righttoknow.org.au

21 July 2020

Dear Jaay-H

Statement of Reasons in respect of Freedom of Information request 2020-05

1. Pursuant to s23(1) of the *Freedom of Information Act 1982* (Cth) (**FOI Act**) I am an officer of the Agency acting within the scope of authority exercisable by me in accordance with arrangements approved by the principal officer of the Agency.
2. I am authorised to make a decision, on behalf of the Agency, in relation to the Request.

The Request

3. On 21 June 2020, the Applicant made the Request to the Agency in the following terms:

SBS published a news story on 16 June 2020 titled:

"The Case: If we get a coronavirus vaccine, should it be mandatory".

Retrieved from the World Wide Web: <https://www.sbs.com.au/news/the-feed/if-we-get-a-coronavirus-vaccine-should-it-be-mandatory>

1. SBS claims that:

"The science on immunisation is clear. Thanks to vaccines we've eradicated smallpox and suppressed diseases like tetanus and diphtheria to the point we almost forget they even exist"

Please provide for public scrutiny and review a copy of the medical evidence from which SBS predicates their claim that:

"the science of immunisation is clear".

2. SBS claims that:

"there's no denying a coronavirus vaccine is the fastest way back to normal life"

Please provide for public scrutiny and review a copy of the medical evidence from which SBS predicates their claim that:

"there's no denying a coronavirus vaccine is the fastest way back to normal life"

Timeframe for responding to the Request

4. The due date for this Request is 21 July 2020.

Exemption

5. Under section 7(2) of the Act, SBS is exempt from the operation of the FOI Act in relation to documents referred to in Part II of Schedule 2, namely, documents 'in relation to its program material and its datacasting content'.

Decision

6. The documents that you have requested fall into this category and as such are not within the scope of the FOI Act.

Review rights

7. If you do not agree with my decision you may apply for a review of that decision.

Internal review

8. Section 54 of the FOI Act gives you the right to apply for an internal review of the decision not to release documents in accordance with your request. Application for review of a decision must be made in writing within 30 days of the receipt of this letter.
9. No particular form is required but it would assist the decision-maker if you would set out in the application the grounds on which you consider the decision should be reviewed. Applications for review should be emailed to foi@sbs.com.au and addressed to:

General Counsel
SBS
Locked Bag 028
Crows Nest NSW 1585

Review by the Information Commissioner

10. You may also apply to the Information Commissioner for review as follows:
 - a. Review of access refusal decision (s. 54(2)(a));
 - b. A decision made by SBS on internal review of an access refusal decision (s. 54(2)(b)); or
 - c. If you have made an application for an internal review of the decision and no decision is made within 30 days (ss. 54D; 54L(2)(b))
11. Information about this review process is available from the Office of the Australian Information Commissioner – see www.oaic.gov.au for more information (Tel: 1300 363 992; email enquiries@oaic.gov.au)

Yours sincerely,



Clare O'Neil
FOI Decision Maker