



Australian Government
Department of Home Affairs

12 August 2020

Ms K Coddington

BY EMAIL: foi+request-6488-fc1d3bb7@righttoknow.org.au

In reply please quote:

FOI Request: FA 20/07/00772

File Number: OBJ2020/23768

Dear Ms Coddington,

I refer to your email dated 17 July 2020 in which you request access to documents held by the Department of Home Affairs (the Department) under the *Freedom of Information Act 1982* (the FOI Act).

I am writing to tell you that I intend to refuse your request on the basis that a practical refusal reason exists. However, before I make a final decision to do this, you have an opportunity to revise your request to remove the practical refusal reason. This is called a '*request consultation process*'. You have 14 days to respond to this notice in one of the ways set out below.

Power to refuse request

Section 24 of the FOI Act provides that if the Department is satisfied that a practical refusal reason exists in relation to a request, the Department must undertake a consultation process with you, and if, after that consultation process, the Department remains satisfied that the practical refusal reason still exists, the Department may refuse to give you access to the documents subject to the request.

Practical refusal

A *practical refusal reason* exists if either (or both) of the following applies:

- (a) the work involved in the processing of the request would substantially and unreasonably divert the resources of the Department from its other operations
- (b) the request does not satisfy the requirement in section 15(2)(b) of the FOI Act, which requires you to provide such information concerning the document you are seeking access to, to enable the Department to be able to identify it.

Scope of Request

You have requested access to the following:

I am requesting the statement of requirement, and any preliminary or interim evaluation reports, and final evaluation report generated from the "You won't be settled in Australia" public information campaign regarding asylum seekers arriving by boat ca. 2012-2014.

I am requesting the statement of requirement, and any preliminary or interim evaluation reports, and final evaluation report generated from the "No Advantage" public information campaign regarding asylum seekers arriving by boat ca. 2012-2013.

I am requesting the statement of requirement, and any preliminary or interim evaluation reports, and final evaluation report generated from the "No Way" public information campaign regarding asylum seekers arriving by boat ca. 2014-2016.

I am requesting the statement of requirement, and any preliminary or interim evaluation reports, and final evaluation report generated from the "Don't throw your money in the water" public information campaign regarding asylum seekers arriving by boat ca. 2014-2015.

I am requesting the statement of requirement, and any preliminary or interim evaluation reports, and final evaluation report generated from the "Don't be sorry" public information campaign regarding asylum seekers arriving by boat ca. 2012-2013.

I am requesting the statement of requirement, sample campaign materials, and any preliminary or interim evaluation reports, and final evaluation report generated from the offshore anti-people smuggling public information campaigns regarding asylum seekers arriving by boat ca. 2016-2018..

I note that you have submitted six separate requests. Given that the subject matter of the six requests is substantially the same, the Department may treat the requests as a single request under section 24(2)(b) of the FOI Act.

Reasons for practical refusal

The Department has made a preliminary assessment of the documents that would be captured by your request.

The Department has identified 420 documents that may be captured by your request. This assessment results from a search of the Department's electronic systems, including emails and other documents.

Whilst the Department has identified that it holds 420 potentially relevant documents in its electronic systems, it would take the Department an average of 30 seconds per document to actually search for and retrieve each of those relevant documents. As such, I estimate that it would take the Department an estimated **4 hours** to search for, identify and retrieve the 420 potentially relevant documents from its electronic systems.

In the event that all these documents would actually be relevant to your request, based on an average of 1 minute per document, a further **7 hours** would be required to collate and create a schedule of the 420 potentially relevant documents. This would include the retrieval of any emails which incorporate attachments and the collation of those attachments.

If the Department was to continue to process your request, a decision would need to be made on access to those documents. Based on an estimate that each document is at least two pages in length, and that the decision maker would require at least three minutes to review and assess each page for relevant exemptions, I estimate that it would take at least **42 hours** to complete a decision on access to the documents potentially identified as being relevant to your request.

As such, a minimum total estimated time of **53 hours** would be required to process this request.

I am satisfied that the Department would be required to divert significant resources from its current operations in order to identify, locate and collate the documents held within the Department, and to make a decision on access to those documents. This diversion would result in a significant drain on the resources of the area within the Department that would be required to process this request.

I consider that this would result in this request imposing both a substantial and an unreasonable diversion of resources of the Department from its other operations and that a practical refusal reason exists in relation to this request.

Request Consultation Process

You now have an opportunity to revise your request to enable it to proceed. For example, you may wish to limit your request to the most recent campaign “Zero Chance” (2018-2019).

Under section 24AB of the FOI Act, you have 14 days to do one of the following:

- withdraw your request;
- make a revised request;
- indicate that you do not wish to revise your request.

If you do not do one of the three things listed above during the consultation period (14 days) or you do not consult the contact person listed below during this period, your request will be taken to have been withdrawn in accordance with section 24AB(7) of the FOI Act.

Contact

Should you wish to revise your request or have any questions in relation to this process, please do not hesitate to contact Alison Smith at foi@homeaffairs.gov.au.



Alison Smith
FOI Officer | Freedom of Information Section
FOI and Records Management Branch
Data Division | Strategy & Law Enforcement Group
Department of Home Affairs