



Australian Government

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Department of Immigration and Border Protection

2 July 2014

**In reply please quote**

FOI Request FA 14/06/00863

File Number ADF2014/21776

Ben Fairless

Right to Know

E: [foi+request-649-b0a3369a@righttoknow.org.au](mailto:foi+request-649-b0a3369a@righttoknow.org.au)

Dear Mr Ben Fairless

**Freedom of Information request – Release of documents**

This letter refers to your request received on 16 June 2014 seeking access under the *Freedom of Information Act 1982* (the Act) to the following documents:

*I request, under the Freedom of Information Act:*

- *A copy of the letter from Mr. James Popple of the OAIC sent via email to Linda Rossiter on the 16th of June with OAIC Reference CP14/00757.*
- *A copy of the correspondence dated 13 March 2014 referred to in the above letter*
- *A copy of the correspondence dated 17 April 2014 referred to in the above letter*
- *A copy of any internal correspondence which relates to the above OAIC investigation.*

This letter is to provide you with my decision, which is to release the relevant documents to you in full. My decision is set out in the attached Decision Record. The relevant documents are listed in the Schedule of Documents attached to this letter. Read together, these form my reasons for decision.

**Review rights**

Internal review

If you disagree with my decision, you have the right to apply for an internal review of my decision. If you wish to make a request for internal review this must be sent within 30 days of being notified of the decision. Where possible please attach reasons why you believe 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.

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6 Chan Street Belconnen ACT 2617

PO Box 25 BELCONNEN ACT 2616 • Telephone: 02 6264 1111 • Fax: 02 6225 6970 • [www.immi.gov.au](http://www.immi.gov.au)

Applications for review should be sent to:

Freedom of Information  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2617

Or by email to: [foi@immi.gov.au](mailto:foi@immi.gov.au)

Review by the Office of the Australian Information Commissioner

You may apply directly to the Australian Information Commissioner for a review of my decision. You must apply in writing within 60 days of this notice. For further information about review rights under the FOI Act please see FOI fact sheet 12 '*Freedom of information – Your review rights*', available online at [www.oaic.gov.au](http://www.oaic.gov.au) .

**How to make a complaint about the handling of your FOI request**

You may complain to the Australian Information Commissioner if you have concerns about how the department has handled your request under the FOI Act. Information about how to submit a complaint is also available at [www.oaic.gov.au](http://www.oaic.gov.au) .

**Contacting the FOI section**

If you wish to discuss this matter, I can be contacted using the details provided below.

Yours sincerely



Steven HOCKING  
Authorised decision maker  
FOI and Privacy Policy Section  
Parliamentary & Executive Coordination Branch  
Immigration and Border Protection Portfolio  
Telephone (02) 6264 1007  
Email [foi@immi.gov.au](mailto:foi@immi.gov.au)

**Attachment(s)**

- ✓ Attachment A – Decision Record
- ✓ Attachment B – Schedule of Documents
- ✓ Attachment C – Documents released



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**Department of Immigration and Border Protection**

**Attachment A**

**DECISION RECORD**

**Request Details**

FOI Request FA 14/06/00863  
File Number ADF2014/21776

**Scope of request**

*I request, under the Freedom of Information Act:*

- *A copy of the letter from Mr. James Popple of the OAIC sent via email to Linda Rossiter on the 16th of June with OAIC Reference CP14/00757.*
- *A copy of the correspondence dated 13 March 2014 referred to in the above letter*
- *A copy of the correspondence dated 17 April 2014 referred to in the above letter*
- *A copy of any internal correspondence which relates to the above OAIC investigation.*

**Documents in scope**

1. Copy of email from FOI applicant attached to correspondence with OAIC – 1 folio.
2. Notice of investigation results; letter from OAIC to DIBP – 4 folios.
3. Notice of complaint by FOI applicant; letter from OAIC to DIBP – 3 folios.
4. Email chain between OAIC and DIBP – 4 folios.
5. Email chain between OAIC and DIBP – 4 folios.

**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 departmental records.

**Information considered**

In reaching my decision, I have considered the following:

- ✓ *The Freedom of Information Act 1982;*
- ✓ *Departmental files and/or documents (identified above); and*
- ✓ *The Australian Information Commissioner's Guidelines relating to access to documents held by government.*

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**Reasons for decision**

I am satisfied that I have been provided with all the relevant documents to consider in my decision. I have considered the documents and am satisfied that no exemptions apply. Therefore, I am releasing the relevant documents in full.



Steven HOCKING

Authorised decision maker

FOI and Privacy Policy Section

Parliamentary & Executive Coordination Branch

Immigration and Border Protection Portfolio

Telephone (02) 6264 1007

Email [foi@immi.gov.au](mailto:foi@immi.gov.au)

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Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 14/06/00863  
File Number ADF2014/21776

Departmental Files:

Folio	Description	Decision	Legislation
1	1. Copy of email from FOI applicant attached to correspondence with OAIC	Release in full	N/A
2-5	2. Notice of investigation results; letter from OAIC to DIBP	Release in full	N/A
6-8	3. Notice of complaint by FOI applicant; letter from OAIC to DIBP	Release in full	N/A
9-12	4. Email chain between OAIC and DIBP	Release in full	N/A
13-16	5. Email chain between OAIC and DIBP	Release in full	N/A