



INFORMATION ACCESS (FREEDOM OF INFORMATION)

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Our Ref: 2015/24

26 August 2014

The Office of the Australian Information Commissioner (OAIC)
Via email: FOIExtensions@oaic.gov.au

Dear Commissioner,

The Australian Federal Police (AFP) is seeking an extension of time in accordance with section 15AC of the *Freedom of Information Act 1982* to complete a request received from Mr Ben Fairless. The AFP will be requesting a further 45 days to complete the request providing a new due date of 25 September 2014.

Applicant Details:

Name: Ben Fairless

Contact details: foi+request-675-ed8c5da2@righttoknow.org.au

FOI Request

On 12 July 2014 an application was made under the *Freedom of Information Act 1982* for access to documents as follows:

"...the most recent document created detailing how to use SEDNode. This would likely be a user guide for SEDNode."

What has been done to date

- Request received on 12 July 2014.
- On 16 July 2014, the request was acknowledged.
- Due to the increase in the volume of FOI requests received by the AFP at this time, a section 15AA extension was requested. Unfortunately the applicant did not agree to extend the time period.
- 24 July 2014, the case officer made contact with various areas of the AFP to ascertain who might have access to the relevant documents.
- 5 August 2014, follow up emails sent to AFP line areas for documents.

- Due to competing priorities in the AFP, the case officer was transferred to another area to assist with operational requirements. Various FOI cases were re-allocated to other FOI officers.
- 19 August 2014, further follow up to line area for documents.
- 20 August 2014, email to the applicant apologising for the delay and advising him of the AFP's intention to apply for a s15AC extension.
- 21 August 2014, response received from line area advising they did not hold the documents and suggested to contact a different area of the AFP.
- 21 August 2014, a further email sent to obtain documents.
- 26 August 2014, documents obtained from relevant line area.
- Preparation of s15AC application.

Details of why complex

As you would know, the AFP FOI Team has experienced a significant increase in FOI applications. This has resulted in team members' caseloads doubling. At present we are continuing to work through the back log of requests with new FOI applications continually being received by the team. While the AFP continues to address the increase in work, by recently appointing two new team members, unfortunately other AFP operational requirements has seen the temporary transfer of one of those team members to another area of the AFP. This has subsequently impacted further on each team member's case load.

Unfortunately, the applicant did not agree to the AFP's request for a s15AA extension. Accordingly, this team has not been able to benefit from an extended timeframe in which to finalise the request.

The AFP is of the view that further time is required in order to consult with various line areas in the AFP, including [REDACTED] prior to the release of the documents. These areas are the subject matter experts of the documents and the AFP is of the view that this request requires thorough consideration and collaboration with these areas to ensure a considered assessment is undertaken and a proper and informed decision is made under the FOI Act. SEDNode is a computer software program specifically designed for and used by Law Enforcement Agencies in the course of investigating breaches of the law. [REDACTED]

The case officer has sent an email to the applicant apologising for the extra delays and advising him that we are continuing to process the request and we are endeavouring to finalise the matter as soon as possible.

Extension Required.

The AFP therefore requests an extension of 45 days under section 15AC of the Act until 25 September 2014.

How the Extensions will be utilised

An estimation of how the extension will be utilised is outlined as follows:

- Further collaboration, consultation and liaison with [REDACTED] in relation to the possible release.
- Further time for research of information already in the public domain.
- Assessment and marking up of documents.
- Drafting decision letter, scheduling and redacting.
- Clearance through AFP line area and AFP executive.
- Preparation of documents for release.

Conclusion

If an extension under s15AC of the FOI Act is granted, the AFP will monitor the progress of this request carefully and endeavour to ensure that a full decision is made within the extended timeframe as noted above.

Yours sincerely



Sophie Brunetti
Team Member
Information Access (Freedom of Information)
Government Relations