



FOI Reference: LEX2698

File No: 20/28097

Date: 14 October 2020

Mr Elias Ross

By email: [foi+request-6751-9adad8ae@righttoknow.org.au](mailto:foi+request-6751-9adad8ae@righttoknow.org.au)

Dear Mr Ross

***Re. Freedom of Information Request – notification of intention to refuse request***

Thank you for your email dated 24 September 2020 seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

*"All communications, documents, email correspondences and minutes of discussions used to compile the 'treatment of returnees' section of the latest 2019 Sri Lankan country report. This may include materials used to produce previous iterations of the report back to 2013."*

**Practical refusal reason**

Notice is hereby given under section 24AB(2) of the FOI Act of an intention to refuse to grant access to the documents sought. The practical refusal reason is that the work involved in processing the request would substantially and unreasonably divert the resources of DFAT from its other operations.

In deciding that this practical refusal reason exists, I have given consideration to how DFAT could proceed to process your request, and the time and resources that would be involved in doing so. I have been assisted in this task by estimates provided by members of staff in the Human Rights Policy and Social Inclusion Branch and the South Asia Branch of DFAT to determine an estimate of the probable resource demands posed by your FOI request.

On advice from the relevant line area, your request as it currently stands has captured approximately 1300 pages that would need to be examined in order to determine whether or not they are within the scope of your request. I am therefore of the opinion that processing your request in its current form would be a substantial and unreasonable diversion of DFAT's resources within the meaning of section 24AA(1) of the FOI Act.

**Request consultation process**

In accordance with section 24AB(2)(e) of the FOI Act, the consultation periods during which you may consult with me to revise the scope of your request is 14 days after the day you are given this notice. Please note that if you do not take this opportunity to consult, in accordance with section 24AB(6) of the FOI Act, your request will be taken to have been withdrawn under section 24AB(7) of the FOI Act.

I am the DFAT officer with whom you may consult if you wish to revise the request to a narrower scope such that it could in fact be processed. I may be contacted by email at [foi@dfat.gov.au](mailto:foi@dfat.gov.au) and I am happy to take any reasonable steps to provide you, so far as is reasonably practicable, with any information that I can to assist you in amending your request.

If you intend to revise the scope of your request, you may wish to consider the following, which would enable the department to appropriately process your request:

- (a) narrowing the scope of your request by clarifying the types of documents you seek;
- (b) narrowing the timeframe.

Please note that during this period of consultation, the statutory timeframe under section 15(5) of the FOI Act for the processing of your request is on hold (see section 24AB(8) of the FOI Act for details).

I have attached a copy of sections 24, 24AA and 24AB of the FOI Act for your information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'N. Mendelsohn', with a stylized, cursive script.

Natalie Mendelsohn

Director

Freedom of Information and Privacy Law Section