



Mr Ben Fairless
Right To Know Organisation

via email: foi+request-690-6eebf826@righttoknow.org.au

Dear Mr Fairless

Your request

I refer to your request, received by the department on 16 July 2014, for access under the *Freedom of Information Act 1982* (FOI Act) to:

'... records detailing the IPv4 (and if relevant, IPv6) addresses used to access the public internet from within your network. To clarify, these are the public facing addresses of your private network. I am only requesting addresses that are used to access the general public internet. In addition, if it is such that a particular IP address serves a particular area within your department (for example, one IP address is used for Media Relations, while another is used for Ministerial Communications), I also request access to this information.'

Decision on access to documents

I am authorised to make decisions under the FOI Act and my decision is set out below.

I have decided to refuse access to all relevant documents, on the grounds they are fully exempt from disclosure under the FOI Act. The reasons for my decision are at Attachment A.

I have also decided not to impose a charge in relation to the processing of this request.

Review Rights

I have enclosed information about your review rights under the FOI Act at Attachment B.

If you lodge a request for review with the Office of the Australian Information Commissioner, please advise the department via foi@agriculture.gov.au that you have done so. This will ensure our administrative compliance with the FOI Act.

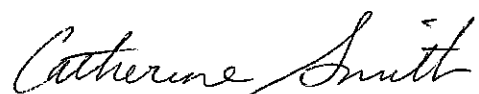
Contact details

Should you wish to discuss any issues arising from this letter then please contact the FOI Officer by email to foi@agriculture.gov.au for assistance with your request.

Written correspondence can also be sent to the following address:

FOI Coordinator
Department of Agriculture
GPO Box 858
CANBERRA ACT 2601.

Yours sincerely

A handwritten signature in cursive script that reads "Catherine Smith".

Catherine Smith
Director
Freedom of Information and Legislation
and Regulatory Reform Sections
Office of the General Counsel

15 August 2014



FOI Request 2014/15-01 - Reasons for decision on access

In making my decision, I have taken the following into account:

- the scope of your request
- the content of relevant documents
- the objects and other provisions of the *Freedom of Information Act 1982* (FOI Act)
- the FOI guidelines issued by the Office of the Australian Information Commissioner (OAIC) under section 93A of the FOI Act (the OAIC Guidelines)
- advice from relevant areas of the department.

Exempt material

Section 11A of the FOI Act requires that an FOI applicant be given access to the documents which are the subject of a FOI request, except where the document is an exempt document under the FOI Act (see subsection 11A(4)).

For the reasons set out below, I have decided that all of the material in the documents that are relevant to your request is exempt from release under the FOI Act.

Section 33(a)(i) - Damage to the security of the Commonwealth

Section 33(a)(i) of the FOI Act provides that a document is exempt if its disclosure would, or could reasonably be expected to, cause damage to the security of the Commonwealth.

You have sought access to specific Internet Protocol addresses used by the department.

In deciding whether the release of the information would or could reasonably be expected to amount to damage, I have considered the nature of the information, the circumstances of its use, the context of the information and the broader interests of the Commonwealth.

This department does not explicitly publish or otherwise make public information about its information technology (IT) framework, including its IT infrastructure design or its secure gateway hosting protocols. I consider that the release of the information you have requested would make the department's network more vulnerable and potentially subject to successful malicious attacks.

I consider there are also whole-of-government implications of releasing such information. Disclosure would contribute to a broad understanding of government IT network architecture and could increase the risk of cyber attacks on government IT networks and communication systems.

In my view, there is a real and substantial likelihood that disclosure of this information could reasonably be expected to cause harm and damage to the security of the Commonwealth. For that reason, I have decided the information is exempt under section 33(a)(i) of the FOI Act.

Section 47E - Public interest conditional exemption – certain operations of agencies

Section 47E(d) of the FOI Act provides that a document is conditionally exempt if its disclosure would, or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

For the reasons stated above, I find that disclosure of the information you have requested would, or could reasonably be expected to, make the department's network more vulnerable to attack. This would compromise the department's ability to maintain and manage the security of its IT system, information held within it and its communications with other parties.

I have decided that disclosure of the material in question would be unreasonable because it would have a substantial and adverse effect on the proper and efficient conduct of the department's IT operations and the department's functions and activities as a whole. It is, therefore, conditionally exempt from disclosure.

Section 11A(5) of the FOI Act provides that conditionally exempt material must nevertheless be disclosed unless the decision maker is satisfied that, on balance, its disclosure would be contrary to the public interest.

A factor in favour of disclosure is that it would:

- promote the objects of the FOI Act, by contributing to increasing scrutiny, discussion, comment and review of the government's activities.

I have also considered the following factors against disclosure, which are:

- that it could reasonably be expected to compromise the IT security of the department and other government agencies
- the general public interest in the protection and security of government-held information, including confidential information provided to the department by the public, business entities and other organisations
- that it could prejudice the management function and activities of the department.

I have decided that the factors in favour of disclosure are outweighed by the factors against disclosure and that disclosure of the material in question would, on balance, be contrary to the public interest.

For these reasons, I have decided to exempt the material from disclosure under section 47E(d) of the FOI Act.