



Australian Government  
Department of Home Affairs

28 June 2021

Xiaoly

BY EMAIL: [foi+request-7367-c19efe34@righttoknow.org.au](mailto:foi+request-7367-c19efe34@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 21/06/00100  
File Number: OBJ2021/16474

Dear Xiaoly,

I refer to your email dated 02 June 2021 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 inform you that I intend to refuse your request on the grounds that a practical refusal reason exists. However, before I proceed to a final decision, you have an opportunity to revise your request to remove the practical refusal reason. This '*request consultation process*' now provides you with a *consultation period* of 14 days to respond in one of the ways set out below.

**Scope of Request**

You have requested access to the following:

1. *Number of Australian citizenship by conferral applicants whose had been approved and were waiting for a citizenship ceremony hosted by the Brisbane City Council. (since October 2020)*
2. *Number of Australian citizenship applicants who attended citizenship ceremonies per month in Brisbane City Council during period June 2020 to July 2021*

**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.

## **Reasons for practical refusal**

After undertaking searches with the relevant business area within the Department in relation to the scope of your request, I consider that the request, in its current form, will meet the second practical refusal reason as the information provided in point 2 of scope does not provide such information concerning the document you are seeking access to, to enable the Department to be able to identify it.

Considering that your request was received on 02 June 2021 but seeks documents held by the department after this date, we are of the view that the documents are not able to be identified.

Based on our searches which have been conducted around the applicable timeframe given in scope, we are able to provide a single figure (not broken down by month) of applicants whose applications for Australian citizenship (*conferral*) had been approved since 1 October 2020 and who were waiting to attend an Australian citizenship ceremony at Brisbane City Council (QLD). Based on the data to date, to break numbers down into monthly statistics may potentially create a significant diversion of resources, which may then create the conditions for a practical refusal under the first reason which is given above.

We now seek your assistance in revising the scope in ways which would remove the practical refusal reason. If you are satisfied to revise the second point of scope by limiting it to that information which the Department is able to provide without incurring a significant diversion, please advise us by reply to this consultation notice within the applicable timeframe. For clarity, this would mean that the second point of your scope could be revised to:

- *As at 02 June 2021, the number of people whose applications for Australian citizenship (*conferral*) had been approved since 1 October 2020 and who were waiting to attend an Australian citizenship ceremony at Brisbane City Council (QLD).*

## **Request Consultation Process**

You now have an opportunity to revise your request to enable it to proceed.

Under section 24AB of the FOI Act, you have 14 days to respond to this notice in writing and advise me whether:

- you wish to make a revised request;
- indicate that you do not wish to revise your request; or
- withdraw 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 you may contact me at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au).

*Signed electronically*

*Glen*

**Position number 60081621**

Authorised Decision Maker | Freedom of Information Section  
FOI and Records Management Branch  
Data Division | Strategy and Law Enforcement Group  
Department of Home Affairs