



FOI Reference: LEX3983

File No: 21/23772

11 August 2021

Mr Elias Ross

By email to: foi+request-7533-b9cc625b@righttoknow.org.au

Dear Mr Ross

Freedom of Information Request – notification of intention to refuse request

Thank you for your email dated 13 July 2021, in which you sought access under the *Freedom of Information Act 1982* (the Act) to email correspondence generated by the Department in the processing your previous FOI requests with references LEX2698, LEX3056 and LEX3057.

I am writing to inform you that the department has identified over 700 pages of materials that will require manual inspection, the processing of which we assess (for the reasons set out below) would constitute a substantial and unreasonable diversion of the department's resources.

However, you are welcome to revise the scope of your request in line with section 24AB(2)(e) of the Act, in order so that it might be processed.

Notice of intended practical refusal

On 13 July 2021 you sought access under the Act to:

"I am also requesting email correspondences that were generated by the Department in the processing and refusal of my previous request 'Treatment of returnees' sections Sri Lanka 2019 country report which can be found here :

<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.righttoknow.org.au%2Frequest%2Ft&data=04%7C01%7Cfoi%40dfat.gov.au%7Cfd17226fdffb463b850108d9353321db%7C9b7f23b30e8347a58a40ffa8a6fea536%7C0%7C1%7C637599315991627838%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000&sddata=mkAodVTc1a56O4A3ZXE2y7acrbYPQ0pYKwtJWHJZ%2FXI%3D&reserved=0> ... in LEX2698, LEX3056 and LEX3057."

In accordance with section 24AB(2) of the Act, I am providing you notice of my intention to refuse to grant access to the documents captured by your request.

The reason for the proposed practical refusal is that the work involved in processing the request as it currently stands would substantially and unreasonably divert the department's resources from its other operations.

In making this assessment, I have considered how the department 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 staff in Freedom of Information and Privacy Law section who have estimated the probable size and resource demands posed by your request.

Your request has captured over 700 pages of materials that would need to be examined and assessed for suitability for release. These materials include the relevant emails and their attachments, which we have interpreted as 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 the department's resources under section 24AA(1) of the Act.

Consultation to revise the scope of the request

Pursuant to section 24AB(2)(e) of the Act, you have 14 days from the day you are given this notice to: (a) withdraw your request; (b) revise the scope of your request; or (c) inform the department that you do not wish to revise your request.

I invite you to contact me (xxx@xxxx.xxx.xx) should you wish to revise the request in order that it may be processed. I am happy to take any reasonable steps to provide you, so far as is reasonably practicable, with any information to assist you in doing so.

You may, for example, wish to consider limiting your request to one LEX matter or otherwise narrowing the range of materials covered by the request (by excluding attachments, for example).

Please note that under section 24AB(7) of the Act, if you do not take an opportunity to consult with the department within 14 days, your request will be considered to have been withdrawn.

Please also be aware that during this period of consultation, the statutory timeframe under section 15(5) of the Act for the processing of your request is on hold (see section 24AB(8) of the Act for details). I have attached a copy of sections 24, 24AA and 24AB of the Act for your information.

Yours sincerely



Tom Beamish
Director
Freedom of Information and Privacy Law Section