



Australian Government
Attorney-General's Department

Our ref: FOI21/133; CM21/107670

5 October 2021

Mr Trav S
By email: foi+request-7651-7417294f@righttoknow.org.au

Dear Mr Trav S

Freedom of Information Request FOI21/133 – Decision letter

The purpose of this letter is to give you a decision about your request for access to documents under the *Freedom of Information Act 1982* (the FOI Act) which you submitted to the Attorney-General's Department (the department).

Your request

On 3 August 2021, you requested access to:

a copy of the 'Attorney General's Department Indexed File Lists - Sorted Numerically 1 January 2012 - 30 June 2012'. That document cites 'record 12/5946' titled 'Humanitarian Overseas Service Medal Amendment Regulation: Iraq clasp'.

On 5 August 2021, the department acknowledged your request. On that day you responded to the department's acknowledgement providing further information about the Senate Order file list and advising the Office of Parliamentary Council advised you that they hold 29 documents related to 'a file with number 12/5946 relating to the HOSM Amendment Regulation: Iraq clasp'. You also separately responded confirming the scope to be the senate order file list from 2012 and that you are interested in related information.

On 2 September 2021, the department wrote to you advising that the period for processing your request has been extended by 30 days to allow the department to undertake consultation with a third party. You were advised the new date for the completion of your FOI request would be 5 October 2021.

On 2 September 2021 the department also confirmed you were interested in *the file title: 'Humanitarian Overseas Service Medal Amendment Regulation: Iraq clasp' and other related information*. In this correspondence the department advised you an edited version of the file list, filtered for any file titles that refer to 'medal' could be provided to you before the new due date.

The department did not receive a response to this correspondence.

A decision in relation to your request is due 5 October 2021.

My decision

I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to freedom of information requests made to the department.

I have identified the document that falls within the scope of your request. I did this by making inquiries of staff likely to be able to identify relevant documents and arranging for comprehensive searches of relevant departmental electronic holdings.

In making my decision regarding access to the relevant documents, I have taken the following material into account:

- the terms of your request
- the content of the document identified as within scope of your request
- correspondence between you and the department
- the provisions of the FOI Act
- the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).

The document, *Attorney General's Department Indexed File Lists - Sorted Numerically 1 January 2012 - 30 June 2012*, contains over 4000 rows of data, with 6 rows referencing the word 'medal' in the file title. As there is nothing available to me to suggest you would disagree with this approach, I have decided to provide an edited version of the list containing all rows containing the word 'medal' to you.

Additional information

Your review rights, including how to make an application for review under the FOI Act, are set out at **Attachment A** to this letter.

The document schedule at **Attachment B** sets out brief information about the document within the scope of your request and my decision in relation to access of the document.

The statement of reasons at **Attachment C** sets out the reasons for my decision to edit certain material to which you have requested access.

The document to which I have decided to grant access under the FOI Act is at **Attachment D**.

Questions about this decision

If you wish to discuss this decision, the FOI case officer for this matter is Joanna, who can be reached on (02) 6141 6666 or by email to foi@ag.gov.au.

Yours sincerely



Michael Harrison
Deputy Chief Information Officer

Attachments

- | | |
|---------------|-----------------------|
| Attachment A: | Review rights |
| Attachment B: | Schedule of documents |
| Attachment C: | Statement of reasons |
| Attachment D: | Document |



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Attachment A - FOI Review rights

If you are dissatisfied with the decision of the Attorney-General's Department (the department), you may apply for internal review or Information Commissioner review of the decision.

The department encourages applicants to consider seeking internal review as a first step as it may provide a more rapid resolution of your concerns.

Internal review

Under section 54 of the *Freedom of Information Act 1982* (FOI Act), applications for internal review must be made in writing within 30 days of the date of the decision letter, and be lodged in one of the following ways:

email: foi@ag.gov.au

post: Freedom of Information and Privacy Section
Strategy and Governance Branch
Attorney-General's Department
3-5 National Circuit BARTON ACT 2600

An officer of the department other than the officer who made the original decision will complete the internal review within 30 days of receipt of your request.

Providing reasons you believe internal review of the decision is necessary will facilitate the completion of the internal review.

Information Commissioner review

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of the decision letter, and be lodged in one of the following ways:

online: https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10

email: foidr@oaic.gov.au

post: GPO Box 5218 Sydney NSW 2001

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/>



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Attachment B - Schedule of documents

Doc. no.	Date	No. pgs	Description	Access decision	Exemption/s applied
1	11 September 2012	1	<i>Attorney General's Department Indexed File Lists - Sorted Numerically 1 January 2012 - 30 June 2012</i> filtered for the word 'medal'	Grant access in part	Section 22(1): Irrelevant material



Attachment C – Statement of reasons – FOI21/133

This document, when read in conjunction with the schedule of documents at **Attachment B**, provides information about the reasons I have decided not to disclose certain material to you in response to your request for documents under the *Freedom of Information Act 1982* (FOI Act).

Section 22: Access to edited copies with exempt or irrelevant matter deleted

Section 22 of the FOI Act provides that if an agency decides to give access to a document that would disclose information that would reasonably be regarded as irrelevant to the request, and it is possible for the agency to prepare a copy (an *edited copy*) of the document, modified by deletions, the agency must prepare the edited copy and give the applicant access to it.

In deciding to delete material which would reasonably be regarded as irrelevant to a request, the FOI Guidelines issued by the Office of the Australian Information Commissioner (OAIC) (the Guidelines) provide at paragraph 3.95 that:

It is important for agencies to keep in mind that the implicit purpose of s 22 is to facilitate access to information promptly and at the lowest reasonable cost through the deletion of material that can readily be deleted, and that an applicant has either agreed or is likely to agree that the material is irrelevant

I note that when the department wrote to you by email on 2 September 2021, department proposed material containing the word 'medal' would be relevant to your request.

As there is no record available to me to suggest that you disagreed with this approach, I have decided to regard material not referencing the word 'medal' as irrelevant to your request and have deleted this material under section 22 of the FOI Act.