

30 September 2021

foi+request-7871-d1f3ecbc@righttoknow.org.au

Dear Eliza,

Freedom of Information Request

The purpose of this letter is to provide an update on your revised request under the *Freedom of Information Act 1982* (Cth) (FOI Act) that the eSafety Commissioner (eSafety) received on 17 September 2021.

As you know, you have been consulting with eSafety to revise the time period of your request to ensure a practical refusal reason under section 24AA of the FOI Act did not exist.

I am pleased to confirm that as a result of our consultation, the practical refusal reason has been addressed and we can now proceed to process your revised request.

Revised scope of your request

I understand your request is for:

'Any emails and correspondence from the eSafety Commissioner or final documents that contain the following phrases:

"Apple CSAM", "CSAM detection", "Child abuse scanner", "On-device matching", "On-device matching process", "NCMEC", "Thorn", "Regulation, here we come!"

I understand your reference to 'emails and correspondence from the eSafety Commissioner' to be emails or correspondence sent by the eSafety Commissioner, Julie Inman Grant.

I understand your request does not include news articles, complaints data or publicly available information.

I understand the period of your request to be 13 August 2021 to 24 September 2021.

eSafety will begin processing your request pursuant to this understanding.

Charges

The processing charges which eSafety is entitled to charge are prescribed in the *Freedom of Information (Charges) Regulations 2019*. These charges include:

- searching and retrieving (\$15 per hour)
- making a decision on access (\$20 per hour after the first five hours, which are for free)
- photocopying a written document (10 cents per page)
- making a copy of a written document other than a photocopy (\$4.40 per page)

- postage or delivery (an amount not exceeding cost of postage or delivery)
- transcribing (\$4.40 per page)
- supervising, if the applicant wishes to inspect (\$6.25 per half an hour, or part thereof).

eSafety will, in accordance with section 29 of the FOI Act, advise you if you are liable to pay any charge and provide a preliminary assessment of those charges.

Timeframe for processing

eSafety received your initial request on 17 September 2021 and the 30-day statutory period for processing your request commenced from the day after that date.

We then gave you notice of a request consultation process on 24 September 2021 and undertook consultation with you. Under section 24AB of the FOI Act, the period from that notice until your revised request is to be disregarded. However, as you responded on the same day we began consultation, there is no period to disregard.

The 30-day statutory period for processing your request concludes on 17 October 2021, but as this is a Sunday, it becomes the next business day, Monday 18 October 2021. You should therefore expect a decision regarding your request by 18 October 2021, unless the timeframe is extended under the FOI Act. Relevantly, the time period can be extended by 30 days if third party consultation is required.

We will contact you via this email address (foi+request-7871-d1f3ecbc@righttoknow.org.au), unless you advise us otherwise.

Please note that eSafety generally publishes information released under the FOI Act on our disclosure log, subject to exceptions.

Further information about the FOI Act, including eSafety's publication obligations, is available on our website at <https://www.esafety.gov.au/about-us/corporate-documents/freedom-of-information>.

If you have any questions, please contact me.

Kind regards,

FOI Coordinator
eSafety Commissioner
E: enquiries@esafety.gov.au
T: 1800 880 176
W: www.esafety.gov.au