



19 October 2021

Concerned Citizen

BY EMAIL: foi+request-7892-c85daf7c@righttoknow.org.au

In reply please quote:

FOI Request: FA 21/09/01245

File Number: OBJ2021/29399

Dear Concerned Citizen,

I refer to your email dated 24 September 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:

Could you please provide any correspondence between the department and Atlassian about the COVIDSafe app?

Specifically:

- any emails sent from the department to Atlassian or from Atlassian to the department containing any of the terms: COVIDSafe, Trace Together, Bluetooth, Contact Tracing, covidcare, coronavirus,*
- any emails in reply,*
- any attachments.*

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 will meet the first practical refusal reason as the work involved in assessing, deciding and preparing the documents for release would involve an unreasonable diversion of the Department's resources. I have provided further detail on the extent of this likely diversion below.

Based on the result of searches to date, which has produced a potential 889 pages, and the efforts required to assess the documents under the FOI Act, the application would require in excess of 40 hours to process your request.

The diversion of resources identified in the various points above would result in a substantial and significant drain on the capacity of the business areas within the Department, to the extent that it would substantially detract from the area's ability to carry out their normal functions and activities.

We now seek your assistance in revising the scope in ways which would remove the practical refusal reason. Changes that you may consider, which may remove the practical refusal reason, may be to limit your request to documents that were produced within a narrow window of time, and/or specify any particular documents by name i.e. 'Minutes', 'Contracts' etc, and/or excluding any email that does not contain attachments, and/or making any further revision to scope which would assist us in meeting your information requirements without incurring a significant diversion of resources.

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.

Signed electronically

Glen

Position number 60081621

Authorised Decision Maker | Freedom of Information Section

FOI and Records Management Branch

Data Division | Strategy and National Resilience Group

Department of Home Affairs