



**Australian Government**  
**Department of Immigration and Citizenship**

2 May 2013

Dr Jason Wilson  
[foi+request-82-973e202a@righttoknow.org.au](mailto:foi+request-82-973e202a@righttoknow.org.au)

**In reply please quote:**

Client Name Dr Jason Wilson  
FOI Request FA 13/04/00302  
File Number ADF2013/10250

Dear Dr Wilson

**Freedom of Information request – Decision on access request**

This letter refers to your request received on 9 April 2013 seeking access to documents under the *Freedom of Information Act 1982* (the FOI Act). Your request was for:

*“I would like to get data on the volume of electronic mail to the minister's office from 2000 through 2012.*

*I would like to see any reports, records of traffic or communications that show how much data the minister's email address is receiving across that period.*

***Clarified scope as of 09/04/2013:***

*I am primarily interested in emails from members of the public to ministerial addresses. If it is possible to disambiguate this from internal traffic, I am very happy to have those figures specifically.*

*I am interested in all ministers connected with the department in the time period mentioned (2000 through 2012). So*

*Philip Ruddock  
Amanda Vanstone  
Kevin Andrews  
Chris Evans  
Chris Bowen  
Brendan O'Connor  
Kate Lundy*

*I am not interested in Parliamentary Secretaries.”*

**people** our business

### **Decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate departmental records.

My decision is to refuse access under section 24A of the FOI Act. My reasons are listed in the attached Decision Record.

### **Review rights**

#### **Internal review**

If you disagree with my decision, you have the right to apply for an internal review by the department of a primary decision to refuse access to documents you have requested.

If you wish to make a request for internal review this must be sent within 30 days of being notified of the decision. Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by an officer other than the original decision-maker and the department must make a review decision within 30 days.

Applications for review should be sent to:

Freedom of Information  
Department of Immigration and Citizenship  
PO Box 25  
BELCONNEN ACT 2616

Or email: [foi@immi.gov.au](mailto:foi@immi.gov.au)

#### **Review by the Office of the Australian Information Commissioner**

You may apply directly to the Australian Information Commissioner for a review of my decision.

You must apply in writing within 60 days of this notice. You can lodge your application in one of the following ways:

Post	GPO Box 2999 CANBERRA ACT 2601
or	GPO Box 5218 SYDNEY NSW 2001
Online	<a href="http://www.oaic.gov.au">www.oaic.gov.au</a>
Email	<a href="mailto:enquiries@oaic.gov.au">enquiries@oaic.gov.au</a>
Fax	+61 2 9284 9666
In person	4 National Circuit BARTON ACT
or	Level 3, 175 Pitt Street SYDNEY NSW

An application form is available on the website at [www.oaic.gov.au](http://www.oaic.gov.au). Your application should include a copy of the notice of the decision to which you are seeking review and your contact details. You should also set out why you are seeking a review of the decision.

For further information about review rights under the FOI Act please see FOI fact sheet 12 'Freedom of information – Your review rights', available online at [www.oaic.gov.au](http://www.oaic.gov.au).

### **How to make a complaint about the handling of your FOI request**

You may complain to the Australian Information commissioner if you have concerns about how the department has handled your request under the FOI Act.

Your complaint must be in writing and must specify the agency you are complaining about. You can send your complaint to the Australian Information commissioner using the details above. A complaint form is also available at [www.oaic.gov.au](http://www.oaic.gov.au).

If you are unhappy with the department's decision about giving or refusing access to documents, you should ask for the decision to be reviewed, which is a separate process which has been outlined in the previous section.

### **Contacting the FOI Section**

If you wish to discuss this matter, I can be contacted using the details provided below.

### **Client Service Charter**

Our Client Service Charter explains our service commitment to you. We are committed to service delivery that is timely, open and accountable, and responsive to your needs. The Charter explains how you can help us and how you can provide feedback or make a complaint. You can read our Client Service Charter on our website, or in a printed copy available from any of our offices.

### **Service satisfaction**

The department remains committed to ensuring that all clients, both in Australia and overseas, receive not only fair and reasonable treatment, but also an efficient standard of service that is sensitive to each client's needs.

To provide a compliment, complaint or suggestion you can:

- telephone the Global Feedback Unit on 13 31 77 during business hours
- complete a feedback form online at [www.immi.gov.au](http://www.immi.gov.au)
- write to:  
The Manager  
Global Feedback Unit  
GPO Box 241  
Melbourne VIC 3001  
Australia
- contact us directly through any of our offices.



**Contacting the department**

You can contact us with a general enquiry in a number of ways including by email, through our website, by telephone through our Service Centres or offices around the world, or in person. In Australia you can call 13 18 81 between 9 am and 4 pm Monday to Friday. Details on contacting our offices outside Australia are available on our website at [www.immi.gov.au](http://www.immi.gov.au).

Yours sincerely



Steven Hocking  
Position No. 60009189  
Assistant Director  
FOI & Privacy Policy Section  
National Office  
Department of Immigration and Citizenship

Telephone (02) 6264 1007  
Email [steven.hocking@immi.gov.au](mailto:steven.hocking@immi.gov.au)  
[foi@immi.gov.au](mailto:foi@immi.gov.au)

**Attachment(s)**  
**Client Service Information**  
**Decision Record**

## CLIENT SERVICE INFORMATION

### **Client Service Charter**

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- write to:  
The Manager  
Global Feedback Unit  
GPO Box 241  
Melbourne VIC 3001  
Australia
- contact us directly through any of our offices.

## DECISION RECORD

### Client Details

Client Name Dr Jason Wilson  
FOI Request FA 13/04/00302  
File Number ADF2013/10250

### Documents in scope

As per your request, you have sought access emails from members of the public to ministerial addresses. You have indicated that you are seeking emails for all ministers connected with the department from 2000 through 2012.

### Information considered

I am a delegated decision maker under Section 23 of the *Freedom of Information Act 1982* (the FOI Act). In reaching my decision, I have considered the following:

- the *Freedom of Information Act 1982*;
- advice from the relevant areas of the department; and
- the Office of the Australian Information Commissioner guidelines.

### Reasons for decision

I have considered the scope of your request and have refused access to those documents under s24A, as the documents do not exist.

### FREEDOM OF INFORMATION ACT 1982

#### - SECT 24A

*Requests may be refused if documents cannot be found or do not exist*

*An agency or Minister may refuse a request for access to a document if:*

- (a) *all reasonable steps have been taken to find the document; and*
- (b) *the agency or Minister is satisfied that the document;*
  - (i) *is in the agency's or Minister's possession but cannot be found; or*
  - (ii) *does not exist.*

I have undertaken the following searches to identify the document/s you have requested:

- Contacted the following business areas:
  - *IT Security*
  - *Midrange Operations*
  - *Ministerial Correspondence Section*

I have been advised that the department does not produce reports that contain the information you have requested. As I indicated to you by email on 23 April, DIAC uses an external service provider to manage the email gateway system. The current service provider took over management of the email gateway in September 2008. The previous service provider was not required to provide that level of detail.

In addition, whilst the department has a Ministerial Correspondence Section that does keep records of communication with the Ministers' Offices, those records do not distinguish between mail, email or email transferred via internal email.

I am therefore satisfied that no documents exist in relation to your request.

A handwritten signature in blue ink, appearing to read 'S. Hocking', with a long horizontal flourish extending to the right.

Steven Hocking  
Position No. 60009189  
Assistant Director  
FOI & Privacy Policy Section  
National Office  
Department of Immigration and Citizenship

2 May 2013