



# Administrative Appeals Tribunal

FOI ref: 2022/0065

3 June 2022

Charlotte

Email: [foi+request-8905-9681eae7@righttoknow.org.au](mailto:foi+request-8905-9681eae7@righttoknow.org.au)

Dear Ms Charlotte

## Notice of Decision for Freedom of Information Request no. 2022/0065

The purpose of this letter is to give you a decision about access to documents that you have requested under the *Freedom of Information Act 1982 (FOI Act)*.

### Summary

I am an officer authorised under s 23(1) of the FOI Act to make decisions in relation to FOI requests.

You lodged an FOI request on 16 May 2022 for access to: *“the number of cases where anyone (whether or not an applicant) requested a withdrawal (whether or not the withdrawal took effect) of review applications in the Migration and Refugee Division of the AAT within the last two years (1 May 2020 to 1 May 2022)”*

On 24 May 2022 I contacted you to discuss the scope of your request based on documents that the Tribunal possesses or can produce using technology that is available under s 17 of the FOI Act. You responded on the same date and amended your scope to *“the number of withdrawn outcomes”*.

The information you requested is not available in discrete form in written documents, however, a document was able to be produced using computer reports via the Tribunal's case management system. Therefore, your request was processed under s 17 of the FOI Act.

### Decision

I have decided to release these documents to you in full.

I have taken the following into account in making my decision:

- your email received on 16 May 2022 and the revised scope of 24 May 2022
- the FOI Act, specifically section 17
- the guidelines issued by the Australian Information Commissioner under s 93A of the FOI Act.

### **Your review rights**

Information about how you can apply for a review of this decision or complain about how we have dealt with this matter is set out in the attached fact sheet, FOI 2.

If you have any questions about this decision, please contact me at [foi@aat.gov.au](mailto:foi@aat.gov.au).

Yours sincerely,

**Marta M**

Authorised FOI Officer (APS 6)

### **Attachments**

Attachment A – MRD Withdrawn Outcome: 1 May 2020 – 1 May 2022

FOI 2 – Information about reviews and complaints under the Freedom of Information Act

## Attachment A

<b>MRD withdrawn outcomes - 1 May 2020 to 1 May 2022</b>	
Migration cases withdrawn	5,676
Refugee cases withdrawn	1,383
<b>Total withdrawn</b>	<b>7,059</b>

# **Information about reviews and complaints under the Freedom of Information Act**

## **What should I do prior to applying for internal review or contacting the Office of the Australian Information Commissioner?**

Before you apply for an internal review or contact the Office of the Australian Information Commissioner, we recommend that you telephone the officer who made the FOI decision. It is often possible to resolve concerns or answer your questions using this approach and, if not, the officer will be able to assist you in applying for review.

## **How do I apply for internal review to the AAT?**

You can apply to us for an internal review of the FOI decision. The application for internal review must be made within 30 days or such further period as we allow, after the day the decision is notified to you. To apply for an internal review you must do so in writing. You may also wish to explain why you are not satisfied with the decision. A different and more senior officer authorised under the *Freedom of Information Act 1982* (the FOI Act) will conduct the internal review and make a new decision within 30 days after receipt of your application.

If you have already applied for internal review and want to seek a further review of that decision, you will need to apply to the Australian Information Commissioner.

## **How do I apply for review to the Australian Information Commissioner?**

You may also apply directly to the Australian Information Commissioner for review of the FOI decision. The application for review must be made within 60 days after the day notice of the decision was given. An application for review must be in writing, include details of how notices in relation to the review are to be sent to you and include a copy of the decision. You may also wish to explain why you are not satisfied with the decision. An online application form is available on the Office of the Australian Information Commissioner's website, details of which are provided below.

## **What if I want to make a complaint about the handling of a Freedom of Information request?**

If you have a complaint about the way in which we have processed your request for access under the FOI Act you can ask the Australian Information Commissioner to investigate. An online complaint form is available on the Office of the Australian Information Commissioner's website, details of which are provided below.

## **Where can I find further information or contact details for the Office of the Australian Information Commissioner?**

Further information is available on the Office of the Australian Information Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au) and you can contact the office on 1300 363 992 or by email at [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au).