



**Australian Government**  
**Department of Defence**

Reference: AM3156325

**FOI 015/17/18 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT**

1. I refer to the application by [REDACTED] under the *Freedom of Information Act 1982* (FOI Act), for access to:

*“documents/reports regarding the Australian Defence Force's Operation Outreach and its involvement with health care professionals in administering or facilitating health checks in the Northern Territory between March 2007 and November 2008 (throughout the Northern Territory National Emergency Response).*

*Additionally, I request any final summary reports or evaluations (produced between November 2008 and December 2008) of the Australian Defence Force's Operation Outreach at the conclusion of the Northern Territory National Emergency Response (2007).”*

**FOI decision maker**

2. I am the accredited officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

**Documents identified**

3. I identified 10 documents as matching the description of the request.
4. The decision in relation to each document is detailed in a schedule of documents.
5. I have added an FOI reference number and Item number to each of the documents, which corresponds with the schedule.

**Decision**

6. I have decided to:
  - a. release 2 documents in full;
  - b. partially release 8 documents in accordance with section 22 [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act, on the grounds that the deleted material is considered exempt under section 47F [public interest conditional exemptions-personal privacy] of the FOI Act; and
  - c. remove irrelevant material as referred to in the scope of the request in accordance with section 22(1)(b)(ii) of the FOI Act.

**Material taken into account**

7. In making my decision, I had regard to:
  - a. the terms of the request;
  - b. the content of the identified documents in issue;
  - c. relevant provisions in the FOI Act; and

- d. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).

### **Reasons for decision**

#### **Conditional Exemption - Section 47F(1) - Personal Privacy**

8. Upon examination of the document, I identified information, specifically phone numbers and signatures of individuals other than the applicant.
9. When assessing whether the disclosure of personal information is unreasonable, I considered the following factors:
  - a. the extent to which the information is well known,
  - b. whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document,
  - c. the availability of the information from publicly accessible sources, and
  - d. the effect the release of the personal information could reasonably have on the third party.
10. I found that the:
  - a. specific personal information listed is not well known, and
  - b. information is not readily available from publicly accessible sources.

11. The release of the phone numbers and signatures of personnel identified in the document could reasonably be expected to cause harm to their privacy. I consider that the release of the personal information of individuals other than the applicant would be an unreasonable disclosure of personal information and is conditionally exempt under section 47F(1) of the FOI Act.

#### **Public interest considerations – Section 47F(1)**

12. I have found that the identified document is conditionally exempt under section 47F(1) of the FOI Act. Section 11A (5) provides that if a document is conditionally exempt, it must be disclosed unless (in the circumstances) access to the document at that time would, on balance, be contrary to the public interest.
13. I considered the factors favouring disclosure set out in section 11B(3) of the FOI Act. The relevant factor is that disclosure may promote some of the objects of the FOI Act, as information held by the Government is a national resource.
14. However, the disclosure of this information would not increase public participation in the Defence process (section 3(2)(a) of the FOI Act), nor would it increase scrutiny or discussion of Defence activities (section 3(2)(b) of the FOI Act).
15. Paragraph 6.22 of the Guidelines specifies a non-exhaustive list of public interest factors against disclosure. The factors I find particularly relevant to this request are that release of this information could reasonably be expected to prejudice or harm:
  - a. the protection of an individual's right to privacy
  - b. the interests of an individual or group of individuals.
16. It is for those reasons that I find that the public interest factors against disclosure outweigh the factors for disclosure and I deem the information exempt under section 47F(1) of the FOI Act.

17. None of the factors listed in section 11B(4) [Irrelevant Factors] were taken into account when making my decision.

**Further Information**

18. A number of the documents matching the scope of this request were classified. I have declassified the versions of the documents that are approved for release.

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N.A. CRAM  
Group Captain  
Accredited Decision Maker  
Joint Operations Command Group

15 August 2017