



FOI 088/17/18 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:

“...The "conflict analysis" produced by Defence Science and Technology Group scientists "which highlighted drivers of insider attacks at Taji Military Complex", as mentioned on page 77 of the Defence Annual Report 2015–16 Volume One. Limiting my request to the sanitised version.

Excluding personal email addresses, signatures, PMKeys numbers and mobile telephone numbers, contained in documents that fall within the scope of the FOI request. In addition, excluding duplicates of documents...”

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 one document as matching the description of the request.

Decision

4. I have decided to partially release one document 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 33(a)(ii) and section 33(a)(iii) [Documents affecting national security, defence or international relations] of the FOI Act.

Material taken into account

5. 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;
 - d. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines); and
 - e. advice from within the Defence Science & Technology Group, Headquarters Joint Operations Command, Strategic Policy and Intelligence, and Department of Foreign Affairs and Trade.

Reasons for decision

Section 33 - Documents affecting national security, defence or international relations

6. Section 33(a) of the FOI Act exempts a document if disclosure of the document would, or could reasonably be expected to, cause damage to (ii) the defence of the Commonwealth; or (iii) the international relations of the Commonwealth. Paragraph 5.34 of the Guidelines

state previous Administrative Appeals Tribunal decisions indicate 'defence of the Commonwealth' includes protecting the Defence Force from hindrance or activities which would prejudice its effectiveness. Paragraph 5.36 of the Guidelines describes international relations meaning the ability of the Australian Government to maintain good working relations with other governments, including relations between Australian Government agencies and agencies of other countries.

7. Upon examination of the document, I identified information pertaining to other government's security forces that, if released, could undermine the trust relationship necessary for the continued operation of the Australian Defence Force in the Middle East. An erosion of trust through release of this information could directly impinge on the activities being undertaken by the Defence Force in Iraq and could damage the relationships Defence holds with other countries' agencies within the region.

8. Accordingly, I consider the release of this information is exempt under section 33(a)(ii) and (iii) of the FOI Act.

Further Information

9. It should be noted that while the information contained within this document was correct at the time it was written, parts of the document are now inaccurate. This is due to the significant efforts that have been undertaken by the Defence Force and its international partners in the region in the intervening period.

10. The document matching the scope of this request contained a dissemination limiting marker, as the document is approved for public release the marker has been struck through.

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Nicola Viney
Accredited Decision Maker
Associate Secretary Group