



**Australian Government**

**Department of Defence**

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Division

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ASMIM/OUT/2015/012  
FOI 123/14/15

12 March 2015

[Redacted]

Email: [Redacted]

Dear [Redacted]

**Applications for Internal review**

1. I refer to your applications for *internal review*, under section 54 of the *Freedom of Information Act 1982* (FOI Act), of the decisions by Mr Peter Bavington, Director Human Resources Operations for Intelligence and Security Group, on 8 January 2015, to exempt from disclosure the Jet Fuel Exposure Syndrome Study by Professor Francis Bowling.

**Document subject to the internal reviews**

2. The document subject to your application for *internal review* is the '*Report on the Molecular Investigations into the Jet Fuel and solvent exposure in the Deseal/Reseal programme conducted at the Mater Research Institute (UQ), Brisbane*' (the Report), dated 31 July 2014, which consists of 190 pages.

**Reviewing officer**

3. I am authorised to make this decision under arrangements approved by the Secretary to the Department of Defence under section 23 of the FOI Act.

**Decision**

4. I have decided to release the Report to you intact but, in accordance with paragraph 21(1)(c) of the FOI Act, I have deferred the provision of access of the Report to you until 30 April 2015.

### **Material taken into account**

5. In arriving at my decision, I had regard to:
- a. the contents of the Report;
  - b. the relevant provisions of the FOI Act;
  - c. the *Guidelines issued by the Australian Information Commissioner under s 93A of the Freedom of Information Act 1982*; and
  - d. the views of Air Force Headquarters and the Senior Physician in Occupational and Environmental Medicine in Defence.

### **Reasons for deferment under section 21 [Deferment of access]**

6. The Jet Fuel Exposure Syndrome Study was recommended by the Joint Standing Committee for Foreign Affairs and Trade in its 2009 Inquiry into F-111 matters (Recommendation 18). The multi-year \$3million study was commissioned and paid for by Defence and undertaken by the Mater Medical Research Institute in Brisbane. The study was completed on 31 July 2014 and Defence received the Report on 4 September 2014.

7. In accordance with best practice, an external expert review commissioned by the Department of Veterans' Affairs and Defence is being undertaken to advise on the appropriateness of the study methodology, conclusions, recommendations and summary of findings. The expert peer review group was required to report before the end of 2014. The results of three other related studies were due for completion by early to mid 2015, and are under consideration by Defence. It is the intention of Defence to publicly release the Report once it has been fully considered.

8. Defence is considering the Report to determine the best way forward in responding to and implementing recommendations, and Defence needs appropriate time to make an informed assessment of the Report and its views before it is publicly released. It is anticipated that those considerations will be concluded by 30 April 2015, after which the Report can be made publicly available.

9. My reason for deferring access to the Report is that premature release would be contrary to the public interest. While I acknowledge that there is a public interest in disclosure of official information to inform legitimate public debate, there is, in my view, a greater public interest in allowing Defence to first give proper consideration to the Report, which is part of a broader series of reviews on the toxicity of JP-8 fuel.

10. In order to allow Defence to properly consider the reviews and obtain maximum benefit from them, I have decided to defer access to the Report, under paragraph 21(1)(c) of the FOI Act, until 30 April 2015.

**Rights of Review**

11. If you disagree with my decision you can ask for the decision to be reviewed. Please find attached a copy of your review rights.

12. If you have any questions in relation to this matter please contact me.

Yours sincerely



Damien Chifley

**Enclosure:**

1. Freedom of Information - Your Review Rights