



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

Freedom of Information  
CP1-6-001  
PO Box 7910  
CANBERRA BC ACT 2610  
Tel: 02 626 62200  
Fax: 02 626 62112  
FOI@defence.gov.au

Our reference: FOI 222/15/16



By email: 

Dear 

**NOTICE OF DECISION ON FREEDOM OF INFORMATION REQUEST**

1. I refer to your revised request of 3 March 2016, which I received on 7 March 2016, in which you requested access, under the *Freedom of Information Act 1982* (FOI Act), to:

*Email correspondence from or to Cate McGregor (speech writer) and the Army Communications team in Army Headquarters relating to the commissioning of the speech, the preparation / drafting and delivery of the speech, the monitoring of reaction to the speech, and analysis of all media and other commentary about the speech. The request includes media and communications plans which mention or reflect on the speech. The first and subsequent drafts of the speech and the final version of the speech are sought.*

2. I note your original request provided the following clarification:

*...the request relates to a speech delivered in June 2013 by the then Chief of the Army, David Morrison. For the avoidance of doubt, this is the speech in which then Lieutenant General Morrison used the words 'the standard you walk past is the standard you accept'.*

**Background**

3. The purpose of this letter is to provide you with the decision relating to the documents that are the subject of your request.

**FOI decision maker**

4. Lieutenant Colonel D Spendelove, Chief Legal Officer, Army Headquarters is the authorised officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

**Documents identified**

5. Lieutenant Colonel D Spendelove identified 13 documents as matching the scope of your request. A schedule of documents is at Enclosure 1.

## **Decision**

6. Lieutenant Colonel Spendelove has decided to release the identified documents to you in full.

## **Material taken into account**

7. In making his decision, Lieutenant Colonel Spendelove had regard to:
- a. the terms of the request;
  - b. the content of the identified document 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).

## **Section 22 of the FOI Act**

8. After examining the documents, Lieutenant Colonel Spendelove determined that, in accordance with Defence policy as outlined in my letter to you dated 7 March 2016, the mobile phone numbers of Defence personnel are considered irrelevant and have been excluded in accordance with section 22 of the FOI Act.

## **Payment of Charges**

9. On this occasion, I have decided to exercise my delegation and to cap the charges payable to the deposit amount already paid. Accordingly, copies of the documents in the form approved for release are at Enclosure 2.

## **FOI Disclosure Log**

10. In accordance with the requirements of section 11C of the FOI Act, Defence is required to publish details of information released under the FOI Act. Defence publishes identified documents relating to requests within five working days of receipt by the applicant. Defence will also publish this decision notice with privacy deletions. This request will be published on 19 April 2016, or immediately following publication of the material.

## **Your Review Rights**

### ***Internal Review***

11. Under the provisions of section 54 of the FOI Act, you are entitled to request a review of this decision. You must request a review, in writing, within 30 days of the date of this letter, or the date you receive the documents. Requests can be sent to:

Email: [FOIReview@defence.gov.au](mailto:FOIReview@defence.gov.au)  
 Fax: 02 626 62112  
 Post: Freedom of Information Directorate - Reviews  
 Department of Defence  
 CP1-6-029  
 PO Box 7910  
 CANBERRA BC ACT 2610

***Australian Information Commissioner***

12. Under the provisions of section 54 of the FOI Act, you are also entitled to request an external review of this decision by the Australian Information Commissioner. You have 60 days to lodge such a request, using one of the contact methods below:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Phone: 1300 363 992  
Fax: 02 9284 9666  
Post: GPO Box 2999  
Canberra ACT 2601

***Complaints***

13. You may complain to Defence, the Information Commissioner or the Commonwealth Ombudsman about an action taken by Defence in the exercise of its power or the performance of its functions under the FOI Act. There is no fee for making a complaint. Should you wish to complain to the Department of Defence, your complaint can be addressed to Mr Tony Corcoran using the contact details below:

Email: [tony.corcoran@defence.gov.au](mailto:tony.corcoran@defence.gov.au)  
Post: Tony Corcoran  
Assistant Secretary Information Management and Access Branch  
CP1-6-14  
PO Box 7911  
CANBERRA BC ACT 2610

14. Contact details for the Commonwealth Ombudsman are below:

Phone: 1300 362 072)  
Fax: 02 6276 0123  
Post: Commonwealth Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

15. Contact details for the Information Commissioner are above.

16. Should you have any questions in regard to this matter please contact this office.

Yours sincerely



Theresa Stinson  
Assistant Director  
Media & Sensitive Case Management

12 April 2016

Enclosures:

1. Schedule of documents
2. Documents in form approved for release