



Reference: Objective ID: R33595612

FOI 240/16/17 REVISED STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. On 31 March 2017, the Department of Defence (Defence) made a decision on [REDACTED] request under the *Freedom of Information Act 1982* (FOI Act) for access to the following:

“I am seeking access to documents, specifically reports, executive/ministerial briefings and attachments, Senate Estimate Hearing reports, photos/CCTV/video footage (including footage from mobile phones, body worn cameras) produced since 1 January, 2015, relating to theft, suspected theft, loss or misplacing of firearms and any subsequent recovery if applicable.

Excluding duplicates, documents that have already been publicly released, media reports/articles/releases and correspondence with media, personal email addresses, signatures, PMKeys numbers and mobile telephone numbers, contained in documents that fall within the scope of the FOI request.”

2. Access to documents matching the scope of the request, described as Items 1 and 15, were denied under section 37(1)(a) [Documents affecting enforcement of law and protection of public safety] of the FOI Act. The decision for these documents was on the basis that they related to investigations that were current at that time.

3. On 24 April 2017, the Office of the Australian Information Commissioner (OAIC) advised Defence that the applicant had requested the Information Commissioner (IC) review Defence’s decision of 31 March 2017.

4. The purpose of this letter is to make a revised decision in relation to Items 1 and 15 of the FOI request under section 55G [Procedure in IC review -revocation or variation of access refusal decision of the FOI Act.

Revised decision

5. I have taken into account that fact the investigations relating to these documents have been finalised. As such, I have decided to revise the original decision by partially releasing Items 1 and 15 in accordance with section 22 [Access to edited copies with exempt or irrelevant matter deleted], on the grounds that the deleted material is exempt under section 47E(d) [Public interest conditional exemptions – certain operation of agencies], section 47F [Public interest conditional exemptions – personal privacy] and section 47G [Public interest conditional exemptions – business] of the FOI Act, for the reasons already provided on 31 March 2017.

6. Further to the above, information which is considered irrelevant to the request has been removed from the documents under subparagraph 22(1)(b)(ii) of the FOI Act.

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Mr Jarrod Howard
Accredited Decision Maker