



**Senator the Hon Marise Payne  
Minister for Defence**

Parliament House  
CANBERRA ACT 2600

Telephone: 02 6277 7800

MIN DEF FOI 002/17/18

**MINDEF FOI 002/17/18 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT**

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

*“...All emails to and from Defence Minister Marise Payne and any/ all members of her media unit that:*

*a) reference an airstrike in Iraq in West Mosul on March 30, 2017 which is believed to have killed a number of civilians, including a child*

*b) reference an airstrike by RAAF hornets in West Mosul on June 7, 2017 which is also believed to have killed a child.*

*excluding personal email addresses, signatures and mobile telephone numbers contained in documents that fall within the scope of a FOI request. Duplicate documents are also excluded.”*

**FOI decision maker**

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

**Documents identified**

3. Two documents were identified as matching the description of the request.

**Decision**

4. I have decided to release two documents in full.

**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 the Department of Defence.

### **Additional Information**

6. The attached documents include emails sent to Payne, Marise (private). This email address is the Minister's official Australian Parliament House (@APH) email account.
7. Under the provisions of section 54 of the FOI Act, you are entitled to request a review of this decision. Your review rights are attached.
8. In accordance with the requirements of section 11C of the FOI Act, details of information released under the FOI Act are required to be published. The Department of Defence, on behalf of the Minister's Office will publish identified documents relating to requests within five working days of receipt by the applicant or immediately following any publication of the released material. Defence will also publish the statement of reasons with privacy deletions.



Kendra Morony  
Adviser to the Minister for Defence

7 December 2017