



Australian Government
Department of Defence
Defence Support and Reform Group

Freedom of Information and
Information Management Branch
Department of Defence

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Our reference: FOI 239/12/13



By email: 

Dear 

1. I refer to your email, dated 2 January 2013, in which you requested access, under the *Freedom of Information Act 1982* (FOI Act), to:

"Copies of monthly parliamentary performance reports from the Defence Support Group from 1 January 2012 to 31 December 2012."

2. 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

3. Ms Maureen Greet, Director, Defence Support and Reform Group Coordination, is the accredited decision maker, under the FOI Act, in relation to your request.

Documents identified

4. Ms Greet has identified 11 documents as matching the description of your request. A schedule of the identified documents, hereafter referred to as the 'schedule' is at Enclosure 1.

Decision

5. Ms Greet has decided to partially release the document listed as Serial 1 on the schedule with material removed, in accordance with section 22 [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act, as it is considered exempt under section 47F [public interest conditional exemptions – personal privacy] of the FOI Act. She has decided to release the remainder of the documents intact.

Material taken into account

6. In making her decision Ms Greet had regard to:

- The content of the identified document in issue
- Relevant provisions in the FOI Act
- The guidelines published by the Office of the Australian Information Commissioner(OAIC) under section 93A of the FOI Act (the guidelines)
- *Principles on open public sector information* issued by the OAIC

Reasons for decision – section 47F

7. On examination of the document, Ms Greet found that Serial 1 contained the personal details of a person other than you. In accordance with subsection 47F(2), in determining whether the disclosure of the information would involve the unreasonable disclosure of personal information, Ms Greet has regard to:

- (a) the extent to which the information is well known;
- (b) whether the people to whom the information relates is known (or to have been) associated with the matters dealt with in the documents; and
- (c) the availability of this information from publicly accessible sources.

8. Against those criteria, Ms Greet found that:

- (a) the information is not well known; and
- (b) the information is not readily available from publicly accessible sources.

9. Based on her assessment on the above criteria, Ms Greet considered that the release of information would involve the unreasonable disclosure of personal information and therefore is conditionally exempt under section 47F of the FOI Act.

Public interest considerations – section 47F

10. Section 11A(5) [access to documents on request] of the FOI Act, requires Defence to allow access to an exempt document unless, in the circumstances, access to the documents would, on balance, be contrary to the public interest.

11. In assessing whether disclosure is on balance, contrary to the public interest, Ms Greet considered the range of factors favouring access to a document as set out in 11B(3) [public interest exemptions – factors] of the FOI Act. Ms Greet noted that disclosure may promote some of the objects of the FOI Act, as information held by the Government as a national resource. However, the disclosure of this information would not increase public participation in the Defence process, nor would it increase scrutiny or discussion of Defence activities.

12. While Ms Greet noted that release of this material would be of some interest to you, it would not inform public debate on any matter of public importance in any meaningful way.

13. Additionally, Ms Greet formed the view that disclosure of the information would not promote oversight of public expenditure, nor would it allow the applicant further access to personal information.

14. In coming to her decision, Ms Greet also consider subsection 11B(4) of the FOI Act.

15. Accordingly, Ms Greet considered that, on balance, the public interest factors against disclosure outweigh the factors for disclosure of the information. Therefore, she decided that that material was considered exempt under section 47F of the FOI Act.

Payment of Charges

16. In our letter, dated 4 January 2013, the department estimated the cost associated with processing your request to be [REDACTED]. You agreed to pay charges for the administration of your request and paid the preliminary assessment deposit of [REDACTED] on 9 January 2013.

17. Upon completion of your request, the actual amount for processing matched the original estimate. The remaining balance is the difference between actual charges and the deposit you have already paid.

18. Accordingly you are required to pay [REDACTED] in order to finalise your request. Please complete and return the form at Enclosure 2 to the FOI Directorate, this form is an agreement to pay charges and enables the FOI Directorate to continue processing your request without delay. Upon receipt of the form an invoice will be generated, noting this can take up to 3 business days. Details about payment of the invoice are on the form.

Rights of review

19. The FOI Act provides for rights of review of decisions. A copy of the fact sheet, "Freedom of Information – Your Review Rights", setting out your rights of review is at Enclosure 3.

FOI Disclosure Log

20. 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 two working days of receipt by the applicant. Defence will also publish this decision notice with privacy deletions. I will advise you of the publication date when the documents are dispatched to you.

Further advice

21. The FOI Act can be accessed online at: <http://www.comlaw.gov.au/Details/C2011C00803>

22. Should you have any questions in regard to this matter please contact me directly on (07) 3332 6359. Alternatively, the FOI team can also be contacted on the details at the top of this letter.

Yours sincerely



Theresa Stinson
Assistant Director – Media Case Management
Freedom of Information

6 February 2013

Enclosures:

1. Schedule of documents
2. Freedom of Information Payment Authorisation Form
3. Fact Sheet: Freedom of Information – Your Review Rights