



DEFENCE FOI 431/21/22 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

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

“An Organisation Chart (or other document) that details the name, rank and structure of the Ministerial, Parliamentary and Media and FOI Teams.”

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. One document was generated in accordance with subsection 17(1)(c)(i) of the FOI Act to satisfy the description of the request. This was done on the basis that a written document could be produced containing the information.
4. In accordance with section 17 of the FOI Act:
 - a written document was produced containing the information by using a ‘computer or other equipment that is ordinarily available to the agency for retrieving or collating stored information’ (section 17(1)(c)(i)); and
 - producing the written document did not ‘substantially and unreasonably divert the resources of the agency from its other operations’ (section 17(2)).

Decision

5. I have decided to partially release one document in accordance with section 22 [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act on the grounds that the deleted material is considered exempt under section 47F [public interest conditional exemptions-personal privacy] of the FOI Act.

Material taken into account

6. In making my decision, I had regard to:
 - a. the terms of the request;
 - b. relevant provisions in the FOI Act; and
 - c. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).

Reasons for decision Section 47F - Personal privacy

7. Upon examination of the document, I identified personal information specifically; names of public servants that are not the applicant and that are not publically available.
8. When assessing whether the disclosure of this personal information is unreasonable, I considered the following factors:
 - (a) the extent to which the information is well known;
 - (b) whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document;
 - (c) the availability of the information from publicly accessible sources; and
 - (d) any other matters that the agency or Minister considers relevant.
9. Against the above criteria I found:
 - (a) that the specific personal information is not well known; and
 - (b) the information is not readily available from publicly accessible sources.
10. Taking into account the above factors, I consider that the release of the material would be an unreasonable disclosure of personal information of individuals, other than the applicant and could reasonably be expected to cause harm to their privacy. I have therefore decided that this information is conditionally exempt under section 47F of the FOI Act.

Public interest considerations – Section 47F

11. In assessing whether disclosure is on balance, contrary to the public interest, I considered the Guidelines together with a range of factors set out in section 11B(3) of the FOI Act, which favours access to a document:
 - (a) promote the objects of this Act (including all the matters set out in sections 3 and 3A);
 - (b) inform debate on a matter of public importance;
 - (c) promote effective oversight of public expenditure; and
 - (d) allow a person to access his or her own personal information.
12. I note that disclosure of the requested document may promote some of the objects of the FOI Act, as information held by the Government is a national resource. However, disclosure of the specific conditionally exempt material would not increase public participation in the Defence process, nor would it increase scrutiny or discussion of Defence activities.
13. While I considered that the release of the material removed under section 47F may be of interest to the applicant, disclosure of the exempt material would not inform public debate on any matter of public importance, in any meaningful way. Additionally, I do not consider that disclosure of the material would promote oversight of public expenditure.

14. Paragraph 6.22 of the Guidelines specifies a non-exhaustive list of public interest factors against disclosure. The factors I find particularly relevant to this request are that release of this information could reasonably be expected to prejudice or harm to:

- (a) the protection of an individual's right to privacy; and
- (b) the interests of an individual or group of individuals.

15. After weighing all of the above, I consider that on balance of the public interest factors against disclosure outweigh the factors for disclosure. I have therefore decided that it would be contrary to the public interest to release the information considered exempt under section 47F of the FOI Act.



Bree James
Accredited Decision Maker
Associate Secretary Group