



*Objective Reference: AHQ/OUT/2022/BQ44862666*

## **DEFENCE FOI 287/22/23 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:

*“A copy of LWD 5-1-4 Military Appreciation Process doctrine.”*

### **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. I identified one document, totalling 304 pages, as matching the scope of this request.

### **Exclusions**

4. Personal email addresses, signatures, PMKeyS numbers and mobile telephone numbers contained in documents that fall within the scope of the FOI request, duplicates of documents and documents sent to or from the applicant are excluded from this request. Defence has only considered final versions of documents.

### **Decision**

5. I have decided to:
- partially release the 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 33(a)(ii) [damage to the defence of the Commonwealth] of the FOI Act; and
  - remove irrelevant material in accordance with section 22 of the FOI Act.

### **Material taken into account**

6. In making my decision, I had regard to:
- the terms of the request
  - 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 under section 93A of the FOI Act (the Guidelines)

- e. advice provided by the Army Knowledge Centre.

### **Reasons for decision**

#### **Section 22 – edited copies with exempt or irrelevant matter deleted**

7. Section 22(1)(a) of the FOI Act provides that if an agency or Minister decides:

- (i) *to refuse access to an exempt document; or*
- (ii) *that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access*

and it is reasonably practicable to prepare an edited copy of the document modified by deletions, the agency or Minister must give the applicant access to the edited copy.

8. The document contains exempt material. The document also contains a signature that does not relate to the scope of the request.

9. Considering all of the above, I decided that it was reasonably practicable to remove the exempt and irrelevant material and release the documents in that edited form.

#### **Section 33(a)(ii) – damage to the defence of the Commonwealth**

10. Section 33(a)(ii) of the FOI Act exempts material from release if its disclosure would, or could reasonably be expected to, cause damage to the defence of the Commonwealth.

11. The guidelines state at paragraph 5.34:

*The FOI Act does not define 'defence of the Commonwealth'. Previous Administrative Appeals Tribunal (AAT) decisions indicate that the term includes:*

...

- *protecting the Defence Force from hindrance or activities which would prejudice its effectiveness.*

12. The document contains information pertaining to operational practices. I have considered advice provided by the Army Knowledge Centre concerning the information contained within the operational templates provided in the document. Although the information is provided as examples, it gives an insight into the operational processes, tactics, techniques and procedures used by the ADF in combat situations.

13. I have taken into account the intelligence technique known as the 'mosaic theory'. This theory holds that individual pieces of information, when combined with information already in the public domain, can generate a composite 'mosaic' which could lead to an adversary applying this information and therefore undermining Defence's capability and effectiveness. Having particular regard to the nature of the information within the document, I have decided that the release of this material could reasonably be expected to cause damage to the defence of the Commonwealth.

14. It is for these reasons that I deem the information exempt under section 33(a)(ii) of the FOI Act.

**Further information**

15. The document matching the scope of this request contained a dissemination limiting marker (DLM). As the document has been approved for public release, the DLM has been struck through.

**Joanne**

Digitally signed by Joanne

Date: 2023.01.10 18:05:27 +11'00'

**Mrs Joanne**Army Headquarters FOI Manager  
Accredited Decision Maker