



BP32985942

DEFENCE FOI 704/22/23

STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT 1982

1. I refer to the request by [REDACTED] (the applicant), dated and received on 30 April 2023 by the Department of Defence (Defence), for access to the following documents under the *Freedom of Information Act 1982* (Cth) (FOI Act):

“Documents detailing current RAAF firefighter helmet colours with rank structure equivalent, and documents detailing current radio codes used by RAAF firefighters with meanings.”

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 have identified two documents as falling within the scope of the request.

Decision

4. I have decided to:
 - a. release one document in full;
 - b. 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 irrelevant; and
 - c. refuse part of the request (documents detailing current radio codes) under section 24A [requests may be refused if documents cannot be found, do not exist or have not been received] of the FOI Act.

Material taken into account

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



REASONS FOR DECISION

Section 22 – Access to edited copies with exempt or irrelevant matter deleted

6. Section 22 of the FOI Act permits an agency to prepare and provide an edited copy of a document where the agency has decided to refuse access to an exempt document or that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access.
7. Document 2 contained irrelevant material and information that does not relate to the request.
8. I am satisfied that it is reasonably practicable to remove the irrelevant material and release the documents to you in an edited form.

Section 24A – Requests may be refused if documents cannot be found, do not exist or have not been received

9. Section 24A(1) of the FOI Act states:




- (1) *An agency or Minister may refuse a request for access to a document if:*
 - (a) *all reasonable steps have been taken to find the document; and*
 - (b) *the agency or Minister is satisfied that the document:*
 - (i) *is in the agency's or Minister's possession but cannot be found; or*
 - (ii) *does not exist.*


10. Paragraph 3.94 of the Guidelines advises the detail this statement of reasons should include to refuse a request under section 24A(1):

...the statement of reasons given to the applicant should sufficiently identify the document, explain why it cannot be found or is known not to exist or to be in the agency's possession, describe the steps the agency took to search for the document, and note the limitations of any search...

11. To ensure that all reasonable steps have been taken in relation to this request, every reasonable avenue of locating potential documents matching the scope of the request have been exhausted.
12. In relation to documents detailing current radio codes used by RAAF firefighters with meanings of the request the Defence Records Management System Objective was searched for files containing the words 'firefighters', 'current radio codes', 'radio codes', 'codes'. No records were found matching the applicant's scope.

13. I am satisfied that all reasonable steps have been taken to locate the document sought by the applicant. I am satisfied that the document cannot be found or does not exist, and refuse the request under section 24A(1) of the FOI Act.

Paul  Digitally signed
by Paul 
 Date: 2023.06.02
16:07:34 +10'00'

Paul 
GPCAPT
Accredited Decision Maker
Air Force