Australian Government
Department of Immigration and Border Protection

Decision Record

Request Details
FOI Request: FA 13/12/00509
File Number: ADF2013/41354

Scope of Request

*A summary of all incident logs from the "Birth of a child" category from May 26 2011
to the present, with the same data columns as the earlier Use of Observation room
FOI request*

Documents in scope
1. Summary document for incidents classified "Birth of a Child" – 3 pages.

Decision
I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to
FOI requests.

My decision is to exempt in part the documents which fall within the scope of your request.
A statement of reasons for my decision is below.

You should read the documents in conjunction with the Schedule of Documents and the
statement of reasons.

Information considered
In reaching my decision I have considered the following:
- The *Freedom of Information Act 1982;*
- the *FOI guidelines* issued by the Australian Information Commissioner;
- Departmental documents (identified above); and
- consultation with relevant business area.

Reasons for decision
I have considered the documents within the scope of your request and applied exemptions in
part or in full to documents as detailed in the Schedule of Documents. You should read the
schedule in conjunction with the exemptions below.

FREEDOM OF INFORMATION ACT 1982 - Section 47F
Public interest conditional exemptions—personal privacy

(1) A document is conditionally exempt if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).

(2) In determining whether the disclosure of the document would involve the unreasonable disclosure of personal information, an agency or Minister must have regard to the following matters:
   (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;
   (d) any other matters that the agency or Minister considers relevant.

(3) Subject to subsection (5), subsection (1) does not have effect in relation to a request by a person for access to a document by reason only of the inclusion in the document of matter relating to that person.

Access given to qualified person instead

(4) Subsection (5) applies if:
   (a) a request is made to an agency or Minister for access to a document of the agency, or an official document of the Minister, that contains information concerning the applicant, being information that was provided by a qualified person acting in his or her capacity as a qualified person; and
   (b) it appears to the principal officer of the agency or to the Minister (as the case may be) that the disclosure of the information to the applicant might be detrimental to the applicant's physical or mental health, or well-being.

(5) The principal officer or Minister may, if access to the document would otherwise be given to the applicant, direct that access to the document, so far as it contains that information, is not to be given to the applicant but is to be given instead to a qualified person who:
   (a) carries on the same occupation, of a kind mentioned in the definition of *qualified person* in subsection (7), as the first-mentioned qualified person; and
   (b) is to be nominated by the applicant.

(6) The powers and functions of the principal officer of an agency under this section may be exercised by an officer of the agency acting within his or her scope of authority in accordance with arrangements referred to in section 23.

(7) In this section:
   qualified person means a person who carries on, and is entitled to carry on, an occupation that involves the provision of care for the physical or mental health of people or for their well-being, and, without limiting the generality of the foregoing, includes any of the following:
   (a) a medical practitioner;
   (b) a psychiatrist;

(c) a psychologist;
(d) a counsellor;
(e) a social worker.

Note: Access must generally be given to a conditionally exempt document unless it would be contrary to the public interest (see section 11A).

The document that is exempt, either in full or in part, under section 47F of the FOI Act contains personal information.

Having formed the view that the document is of a kind to which section 47F does apply, I am required to consider whether disclosure of the document would be unreasonable. I took the following information into consideration:

- The information is not your personal information.
- Every person has the right to expect that their personal information will be securely maintained by the department.
- The information does not appear to be in the public forum.

On balance I believe it would be unreasonable to release the information redacted in the document.

Having formed the view that the document is of a kind to which section 47F(1) does apply, I am required to consider whether disclosure of the document would be contrary to the public interest.

I have considered:

Arguments in favour of the disclosure of the documents include:

- there is a general public interest in making information held by the Government accessible to the public;
- inform debate on a matter of public importance; and
- the need for openness and accountability of the department's operations.
- the extent to which the information is known by the public.

Arguments that against disclosure of the documents include:

- it is a core Government concern to maintain the integrity of the information it holds and in the maintaining of an individual's privacy
- prejudice the fair treatment of individuals
- prejudice security, law enforcement, public health or safety

The information contained within the identified documents wholly relates to a person other than you. The department is obliged to take action to prevent the unreasonable disclosure of an individual's personal information and I have given this the greatest weight.

I consider that disclosure of this information would be contrary to the public interest and it is therefore exempt from disclosure under section 47F of the FOI Act.

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31 January 2014

SCHEDULE OF DOCUMENTS TO DECISION RECORD

Request Details
FOI Request: FA 13/12/00509
File Number: ADF2013/41354

1. Summary document for incidents classified "Birth of a Child" – 3 pages.

Folio	Description	Decision	Legislation
1-3	The information contained within the identified documents wholly relates to a person other than you.	**Exempt in Part**	s.47F(1)

Incident ID	Type	LEVEL	Occurred On	Summary	Location
1-CUKQC5	Birth of a child	Minor	20/03/2012	New Baby Born.	SA Community Detention
1-CN9OX6	Birth of a child	Minor	30/12/2011	s. 47F(1)	WA Community Detention
1-CV66O0	Birth of a child	Minor	20/03/2012	New baby born.	SA Community Detention
1-JR09N4	Birth of a child	Minor	13/11/2012	Birth of baby s. 47F(1)	Darwin Airport Lodge
1-J3A5FL	Birth of a child	Minor	22/10/2012	Birth of a baby s. 47F(1) hospital	NSW Community Detention
1-JHX7FJ	Birth of a child	Minor	1/11/2012	Birth of baby s.	QLD Community Detention
1-LTEWRZ	Birth of a child	Minor	15/01/2013	Birth of child at s.47F(1)	Sydney IRH
1-J3A5FL	Birth of a child	Minor	22/10/2012	Birth of a baby s.47F(1)	NSW Community Detention
1-872TEM	Birth of a child	Minor	2/08/2011	Client s.47F(1) gave birth to a baby s.	Sydney IRH
1-872TEM	Birth of a child	Minor	2/08/2011	Client s.47F(1) gave birth to a baby s.	Sydney IRH
1-7OL2AN	Birth of a child	Minor	24/06/2011	s.47F(1) s.47F(1)	Port Augusta IRH
1-8TU4I9	Birth of a child	Minor	7/09/2011	s.47F(1) .	SA Community Detention
1-B7HAQC	Birth of a child	Minor	25/10/2011		SA Community Detention
1-9DTEBR	Birth of a child	Minor	16/10/2011	Birth of a child	Perth IDC
1-8I80AO	Birth of a child	Minor	18/08/2011	The Australian Red Cross (ARC) advised that s.47F(1) gave birth to a baby s.47F(1)	VIC Community Detention
1-BVQLWP	Birth of a child	Minor	18/08/2011		VIC Community Detention
1-A6B6U2	Birth of a child	Minor	25/10/2011	s.47F(1) born 25/10/11	VIC Community Detention
1-GGQOAW	Birth of a child	Minor	30/05/2012	Client went into s.47F(1) gave birth to a baby s.47F(1)	NSW Community Detention
1-7OMAZR	Birth of a child	Minor	24/06/2011	Client s.47F(1)	Darwin Airport Lodge
1-GGQO28	Birth of a child	Minor	12/07/2012	Client gave birth at s.47F(1) to a baby s.47F(1) .	NSW Community Detention
1-GGQO28	Birth of a child	Minor	12/07/2012	Client gave birth at s.47F(1) to a baby s.47F(1) .	NSW Community Detention
1-D0PW12	Birth of a child	Minor	15/03/2012	Client gave birth to baby s.	NSW Community Detention
1-7OMAZR	Birth of a child	Minor	24/06/2011	Client s.47F(1) - gave birth to s.47 child s.4	Darwin Airport Lodge
1-B7ZBKI	Birth of a child	Minor	18/10/2011		QLD Community Detention
1-K7AD4K	Birth of a child	Minor	26/11/2012	s.47F(	NSW Community Detention
1-K7AD4K	Birth of a child	Minor	26/11/2012	s.47F(	NSW Community Detention
1-B77WJS	Birth of a child	Minor	3/11/2011	Client Gave birth	NSW Community Detention
1-8JH99L	Birth of a child	Minor	12/08/2011	The Australian Red Cross (ARC) advised that s.47F(1) gave birth to a baby s.47F(1)	VIC Community Detention
1-BVQLXO	Birth of a child	Minor	12/08/2011		VIC Community Detention
1-BNNMLW	Birth of a child	Minor	12/09/2011		WA Community Detention
1-J4CVOT	Birth of a child	Minor	17/10/2012	Client gave birth to s.47F(1) .	QLD Community Detention
1-J4CVOT	Birth of a child	Minor	17/10/2012	Client gave birth to s.47F(1)	QLD Community Detention
1-N8VAHT	Birth of a child	Minor	15/02/2013	Client had baby - returned from hospital.	SA Community Detention
1-N8VAHT	Birth of a child	Minor	15/02/2013	Client had baby - returned from hospital.	SA Community Detention
1-92F1XM	Birth of a child	Minor	26/09/2011	Baby s.47F(1)	Inverbrackie APOD
1-JYJ3DR	Birth of a child	Minor	16/11/2012	Birth of a baby s.	VIC Community Detention
1-CN9P48	Birth of a child	Minor	4/02/2012	s.47F(1) , gave birth to a healthy baby s.47F(1)	QLD Community Detention
1-DRUGCX	Birth of a child	Minor	16/04/2012	New baby s.47 .	NSW Community Detention
1-82K2FJ	Birth of a child	Minor	26/07/2011	s.4 child born s.47F(1)	Darwin Airport Lodge
1-JYJ3DR	Birth of a child	Minor	16/11/2012	Birth of a baby s.	VIC Community Detention
1-8GFTP6	Birth of a child	Minor	31/07/2011	On 19/8/2011 the Australian Red Cross advised that on s.47F(1 gave birth to a baby s.47F(1)	NSW Community Detention
1-BK21LX	Birth of a child	Minor	21/12/2011	Baby born in CD on 21/12/2011	VIC Community Detention
1-FYV3O8	Birth of a child	Minor	21/06/2012	Client s.47F(1) gave birth to a baby s. .	NSW Community Detention
1-FZ1N97	Birth of a child	Minor	29/06/2012	s.47F(1) gave birth s.47F(1)	NSW Community Detention
1-FYV3O8	Birth of a child	Minor	21/06/2012	Client s.47F(1) gave birth to a baby s.	NSW Community Detention
1-FZ1N97	Birth of a child	Minor	29/06/2012	s.47F(1)	NSW Community Detention
1-EH8896	Birth of a child	Minor	17/05/2012	Client s.47F(1) Gave birth to a baby s.	Sydney IRH
1-F02A1J	Birth of a child	Minor	18/05/2012	s.47F(1) to give birth. DIR to follow	NSW Community Detention
1-F02A5F	Birth of a child	Minor	19/05/2012	s.47F(1) where she gave birth s.47F(he had given birth to a s.47F(1)	NSW Community Detention
1-F02A1J	Birth of a child	Minor	18/05/2012	s.47F(1) to give birth. DIR to follow	NSW Community Detention

ID	Event		Date	Description	Location
1-F02A5F	Birth of a child	Minor	19/05/2012	s.47F(1) where she gave birth at s.47 she had given birth to a s.47F(1)	NSW Community Detention
1-92F1XM	Birth of a child	Minor	26/09/2011	Baby s.47F(1)	Inverbrackie APOD
1-H80AMT	Birth of a child	Minor	23/07/2012	s.47F(1) gave birth to a baby s.47F(1)	SA Community Detention
1-H80AMT	Birth of a child	Minor	23/07/2012	s.47F(1) gave birth to a baby s.47F(1)	SA Community Detention
1-DUTHJL	Birth of a child	Minor	20/04/2012	New baby s.47	SA Community Detention
1-DUTHJL	Birth of a child	Minor	20/04/2012	New baby s.47	SA Community Detention
1-BDKB66	Birth of a child	Minor	27/12/2011	Client gave birth to a s.47F(	Inverbrackie APOD
1-FIAXSV	Birth of a child	Minor	15/06/2012	Zohreh gave birth to a baby s.47F(1)	QLD Community Detention
1-BDKB66	Birth of a child	Minor	27/12/2011	Client gave birth to a s.47F(.	Inverbrackie APOD
1-FIAXSV	Birth of a child	Minor	15/06/2012	Zohreh gave birth to a baby s.47F(1)	QLD Community Detention
1-D0ZK2R	Birth of a child	Minor	27/03/2012	Client gave birth to a baby s.	Inverbrackie APOD
1-D0ZK2R	Birth of a child	Minor	27/03/2012	Client gave birth to a baby s. .	Inverbrackie APOD
1-H1D0W3	Birth of a child	Minor	10/08/2012	s.47F(1 gave birth s.47F(1)	VIC Community Detention
1-H1D0W3	Birth of a child	Minor	10/08/2012	s.47F(1 gave birth s.47F(1)	VIC Community Detention
1-BBFSE9	Birth of a child	Minor	22/12/2011	s.4 child born to clients from s.47F	Inverbrackie APOD
1-BBFSE9	Birth of a child	Minor	22/12/2011	s.4 child born to clients from s.47F	Inverbrackie APOD
1-DGAIBW	Birth of a child	Minor	11/04/2012	Child born at s.47F(1)	Inverbrackie APOD
1-FZ4HAU	Birth of a child	Minor	8/06/2012	s.47F(1)	SA Detention Operations
1-F58BNK	Birth of a child	Minor	8/06/2012	Birth of a child at s.47F(1)	Inverbrackie APOD
1-F58BNK	Birth of a child	Minor	8/06/2012	Birth of a child at s.47F(1)	Inverbrackie APOD
1-HHQAQV	Birth of a child	Minor	26/08/2012	Birth of baby s.	VIC Community Detention
1-HHQAQV	Birth of a child	Minor	26/08/2012	Birth of baby s.	VIC Community Detention
1-FZ4HAU	Birth of a child	Minor	8/06/2012	s.47F(1)	SA Detention Operations
1-C3Z193	Birth of a child	Minor	17/02/2012	Client gave birth to a baby s.	Inverbrackie APOD
1-C3Z193	Birth of a child	Minor	17/02/2012	Client gave birth to a baby s.	Inverbrackie APOD
1-FXUXKU	Birth of a child	Minor	4/07/2012	Birth of Baby.	WA Community Detention
1-KYCAX0	Birth of a child	Minor	8/11/2012	s.47F(1) Client gave birth to a baby s.	WA Community Detention
1-FXUXKU	Birth of a child	Minor	4/07/2012	Birth of Baby.	WA Community Detention
1-HBLTR7	Birth of a child	Minor	21/08/2012	s.47F(1) gave birth to baby s.47F(1)	VIC Community Detention
1-IHXNXO	Birth of a child	Minor	27/09/2012	Client gave birth to a baby s.47F(1)	VIC Community Detention
1-HBLTR7	Birth of a child	Minor	21/08/2012	s.47F(1) gave birth to baby s.47F(1)	VIC Community Detention
1-MGG8S6	Birth of a child	Minor	1/02/2013	Birth of baby	WA Community Detention
1-GDUZHN	Birth of a child	Minor	15/07/2012	s.47F(1) gave birth to a baby s.47F(1)	WA Community Detention
1-GDUZHN	Birth of a child	Minor	15/07/2012	s.47F(1) , gave birth to a baby s.47F(1)	WA Community Detention
1-NGA7K2	Birth of a child	Minor	4/03/2013	s.47F(1)	QLD Community Detention
1-N2ZXB1	Birth of a child	Minor	11/02/2013	Client gave birth to a healthy baby.	WA Community Detention
1-GJDXFG	Birth of a child	Minor	25/07/2012	Client gave birth to child.	Darwin Airport Lodge
1-JNWGLT	Birth of a child	Minor	5/11/2012	Client gave birth to a s.47F(1)	NSW Community Detention
1-JY1IFA	Birth of a child	Minor	5/11/2012	Client gave birth to a baby s.	NSW Community Detention
1-M0RM3R	Birth of a child	Minor	18/01/2013	Birth of Child	TAS Community Detention
1-LZBDO5	Birth of a child	Minor	18/01/2013	Birth of Baby	SA Community Detention
1-G7M6H0	Birth of a child	Minor	13/07/2012	Birth of child at s.47F(1)	Inverbrackie APOD
1-G7M6H0	Birth of a child	Minor	13/07/2012	Birth of child at s.47F(1)	Inverbrackie APOD
1-EYIQCB	Birth of a child	Minor	2/06/2012	s.47F(1) gives birth to baby s.	Sydney IRH
1-LUAMF5	Birth of a child	Minor	15/01/2013	Birth of a baby s.	VIC Community Detention
1-LUAMF5	Birth of a child	Minor	15/01/2013	Birth of a baby s.	VIC Community Detention
1-GEPR0Z	Birth of a child	Minor	21/07/2012	Client has given birth to a child in s.	Darwin Airport Lodge
1-MVGMG4	Birth of a child	Minor	7/02/2013	s.47F(1) . Child born on s.47F(1)	SA Community Detention
1-MVGMG4	Birth of a child	Minor	7/02/2013	s.47F(1) Child born on s.47F(1)	SA Community Detention
1-KT9ONV	Birth of a child	Minor	12/12/2012	Birth of a s.	SA Community Detention
1-KRZYFW	Birth of a child	Minor	12/12/2012	Birth of a s.47F(1) .	QLD Community Detention
1-KRZYFW	Birth of a child	Minor	12/12/2012	Birth of a s.47F(1) .	QLD Community Detention
1-J5IKNH	Birth of a child	Minor	24/10/2012	Client gave a birth to baby s.	Darwin Airport Lodge
1-H64X1P	Birth of a child	Minor	19/08/2012	Client gave birth at s.	Darwin Airport Lodge
1-M8ZYGC	Birth of a child	Minor	25/01/2013	Client gave birth	VIC Community Detention
1-IXFWBQ	Birth of a child	Minor	17/10/2012	Birth of baby s.47F(	Darwin Airport Lodge
1-IRAUQ7	Birth of a child	Minor	11/10/2012	Birth of Baby s.	Darwin Airport Lodge
1-IRAUQ7	Birth of a child	Minor	11/10/2012	Birth of Baby s.	Darwin Airport Lodge
1-HRF9F1	Birth of a child	Minor	9/09/2012	Baby s.47F(1)	Darwin Airport Lodge
1-K39MCV	Birth of a child	Minor	23/11/2012	Birth of baby s.	Darwin Airport Lodge
1-K39MCV	Birth of a child	Minor	23/11/2012	Birth of baby s.	Darwin Airport Lodge
1-ILQ71H	Birth of a child	Minor	7/10/2012	Client gave birth to baby s.	Darwin Airport Lodge
1-MIVOX3	Birth of a child	Minor	2/02/2013	Client gave birth to a baby s.47F(1) .	VIC Community Detention

1-M8ZXWH	Birth of a child	Minor	22/01/2013	she gave birth s.47F(1	s.47F(1)	SA Community Detention
1-L37E5M	Birth of a child	Minor	21/12/2012	1 x Client gave birth to a baby s.		Darwin Airport Lodge
1-M5CUXX	Birth of a child	Minor	26/01/2013	Client gave birth to a baby s.		Darwin Airport Lodge
1-KK920O	Birth of a child	Minor	6/12/2012	Client gave birth to a baby s.47F(1)		Inverbrackie APOD
1-NDERIW	Birth of a child	Minor	9/03/2013	Client gave birth to baby s.		Darwin Airport Lodge
1-NDERIW	Birth of a child	Minor	9/03/2013	Client gave birth to baby s.		Darwin Airport Lodge
1-LLE6AV	Birth of a child	Minor	8/01/2013	Client gave birth to a baby s.47F(		Darwin Airport Lodge
1-KRZY9J	Birth of a child	Minor	8/12/2012	Birth of a s.		NSW Community Detention
1-MGNZI9	Birth of a child	Minor	6/02/2013	Client gave birth to a s.47F(1)		Port Augusta IRH
1-LN7VOU	Birth of a child	Minor	9/01/2013	Baby s. born s.47F(1)		Inverbrackie APOD
1-MWHNLR	Birth of a child	Minor	21/02/2013	Client gave birth to a baby s.		Darwin Airport Lodge
1-MWHNLR	Birth of a child	Minor	21/02/2013	Client gave birth to a baby s.		Darwin Airport Lodge
1-NE4EUM	Birth of a child	Minor	10/03/2013	Client gave birth to a baby s.		Darwin Airport Lodge
1-NE4EUM	Birth of a child	Minor	10/03/2013	Client gave birth to a baby s.		Darwin Airport Lodge
1-NQCSLR	Birth of a child	Minor	21/03/2013	Birth of a s.		Darwin Airport Lodge
1-NQCSLR	Birth of a child	Minor	21/03/2013	Birth of a s.		Darwin Airport Lodge
1-LU4X1S	Birth of a child	Minor	16/01/2013	Client gave birth to a baby s.		DAL3