16 June 2017

Dear

Freedom of Information – Decision on Access

On 12 May 2017, you submitted a request for access to documents to ████████████ ████████████████████████████ under the *Freedom of Information Act 1982* (the FOI Act). On 22 May 2017, the Department of Immigration and Border Protection (the Department) accepted transfer of the request from the ████ on the basis that the subject-matter of the document is more closely connected with the functions of this Department.

1   Scope of Request

You have requested access to the following documents:

1. *documents which show the statistics of simultaneous importations of cannabis and cocaine and the respective amounts;*

2. *documents which show the statistics of cannabis importations into Australia of amounts greater than 1 Kg, and*

I would be satisfied if the searches covered years 1980 to 2005, but other years would be welcome. If searches prior to 1990 are difficult, I would be satisfied with 1990 to 2005.

This letter is to notify you of the Department's decision on access to the documents subject to your request.

2   Authority to make decision

I am an officer authorised under section 23 of the FOI Act to make decisions to in respect of requests to access documents or to amend or annotate Departmental records.

3   Relevant material

In reaching my decision, I have considered the following:
- the terms of your request;
- the documents relevant to your request;
- the FOI Act;
- Guidelines published by the Office of the Australian Information Commissioner under s 93A of the FOI Act, and
- advice from Departmental officers with responsibility for matters relating to the documents to which you sought access.

4   Documents in scope of request

Section 17 of the FOI Act provides that where a request is made and it appears that the Department could produce a written document containing the information in discrete form through the use of a computer that is ordinarily available for retreiving such data, the Department shall deal with the request as if it were a request for access to a written document so produced. In the event that giving access to the data in that form would interfere unreasonably with the operations of the Deparrment, access in that form may be refused.

The Department does not hold an existing discrete document that contains the information you have requested. In addition, the Department's transactional systems do not record the level of detail required to quickly determine if cocaine and cannabis were imported simultaneously into Australia. This is because the information requested is often recorded in free text fields. This would require an officer to manually review a significant amount of records. As such, the work required to produce the information being specifically requested would interfere unreasonably with the operations of the Department.

The Department has however produced a document in accordance with section 17 of the FOI Act, which contains:

- Table 1: separate statistics for cannabis and cocaine importations into Australia from 1980 to 2005, and

- Table 2: statistics for cannabis importations into Australia of amounts greater than one kilogram from 1980 to 2005.

The data produced in this document existed in the possession of the Department on 12 May 2017 when your FOI request was received.

5   Decision on access

The decision in relation to the document in the possession of the Department which comes within the scope of your request is to release one document in full.

6   Legislation

A copy of the FOI Act is available at https://www.legislation.gov.au/Series/C2004A02562. If you are unable to access the legislation through this website, please contact our office for a copy.

7   Your Review Rights

Internal Review

If you disagree with this decision, you have the right to apply for an internal review by the Department of this decision. Any request for internal review must be provided to the Department within 30 days of you being notified of the decision. Where possible please attach reasons why you believe a review of the decision is necessary. The internal review will be carried out by an officer other than the original decision maker and the Department must make a review decision within 30 days. Applications for review should be sent to:

> Freedom of Information Section
> Department of Immigration and Border Protection
> PO Box 25
> BELCONNEN   ACT 2617

OR

> By email to: foi.reviews@border.gov.au

Review by the Office of the Australian Information Commissioner

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see Fact Sheet 12 "Freedom of information – Your review rights", available online at http://www.oaic.gov.au/freedom-of-information/foi-reviews.

8   Making a Complaint

You may complain to the Australian Information Commissioner about action taken by the Department in relation to your request.

Your enquiries to the Australian Information Commissioner can be directed to:
> Phone 1300 363 992 (local call charge)
> Email enquiries@oaic.gov.au

There is no particular form required to make a complaint to the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Department of Immigration and Border Protection as the relevant agency.

9   Contact

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at foi@border.gov.au.

FOI Officer | Freedom of Information Section
FOI, Privacy and Records Management Branch
Corporate Services Division
Department of Immigration and Border Protection