

E-mail Message

From: FOI [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FOI715]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Cc: Detention Services [SMTP:detention.services@border.gov.au]
Sent: 18/5/2016 at 2:23 PM
Received: 18/5/2016 at 2:23 PM
Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387 ADF2016/21290 [DLM=For-Official-Use-Only]

Attachments: Checklist for FOI - Seeking documents.pdf
 Schedule of Documents.doc

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>.'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.

- If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the

Released by DIBP under the
Freedom of Information Act 1982

applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au) by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

· If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| foi@border.gov.au

Please consider the environment before printing this email

Released by DIEL under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

FOI CHECKLIST FOR BUSINESS COORDINATION AREA

STAGE 1 - Search and Retrieval of documents

Scope of request

- Ensure you understand the scope of the request. ☐
 - If the scope is unclear, liaise with the FOI Section to clarify with the applicant.
 - Consider whether the request is too broad or there is a large number of documents.

If the request is unclear; too broad; or large please complete the relevant questions below. If not proceed to the Search and retrieval section.

Practical refusal reason / notice

1. What makes the request unclear:
2. Where are documents stored:
3. What is the document / file count:
4. Can you estimate how many pages there are:
Tip: every 1cm equals 100 pages
5. What other areas of the Department may hold documents:
6. Does the content of the documents require third party consultations:
7. If there is sensitive material, what is the nature of the sensitivities:
Tip: International relations; or National Security concerns; etc

During the consultation process under a practical refusal notice, the Department must provide assistance to the applicant to make a revised request.

Search and retrieval of documents

- Identify the documents that fall within the scope of the request ☐
- Provide an un-redacted copy of the documents to the FOI Section (7 calendar days) ☐
- If it is part of your usual practice to prepare a schedule and redact documents you may begin this process after a copy of un-redacted documents have been provided to the FOI Section. ☐

Issues management

When providing documents to the FOI Section please provide any high level concerns with respect to the content of the documents. To assist you please tick the relevant concerns below.

- ☐ International relations
- ☐ National Security
- ☐ Third party business information
- ☐ Third party personal information
- ☐ Ongoing investigation
- ☐ Trade secrets or commercially sensitive material
- ☐ Cabinet documents
- ☐ Other:

Extensions of time

- If it becomes apparent during the processing of this request that the initial processing period of 30 days will be insufficient, liaise with the FOI Section in relation to the extension of time options: ☐
 - **Extension with agreement of applicant**
an extension of no more than 30 days can be agreed to by the applicant. This agreement must be in place before the initial statutory period has expired (s15AA)
 - **Extension for complex/voluminous requests**
application may be made to the Information Commissioner for an extension because the request is complex/voluminous – consider s15AA above/issuing of Charges/Consultation

Consultation

- Do third parties need to be consulted in relation to the following information within the documents: ☐
 - Information that originated with or was received from a State government/authority
 - Business related information
 - Personal information
 - Foreign governments or international organisations
- If yes, notify the FOI Team - a 30 day extension of time will be applied to the initial processing period. ☐
- Should any other Commonwealth agencies be consulted in relation to the documents? ☐
 - **Note:** PM&C should be consulted in relation to documents that may be subject to a Cabinet documents exemption claim.

Time recording

- Keep a record of the time you spend on processing this request. You will be asked to provide a record of the time spent at the end of the matter. ☐

SCHEDULE OF DOCUMENTS
REQUEST UNDER FREEDOM OF INFORMATION ACT 1982

Stage 1: Search and Retrieval Business Coordination Area to complete at search and retrieval stage				Stage 2: Decision To be completed in consultation with the decision maker	
No.	Date of document	No. of pages	Description	Decision on release	
Eg.	XX/XX/XXXX	1-XX	Departmental Submission Ref. XXXXXXXXXX	Release in full or Release in part or Exempt in full	Reference exemption Eg: s.47F(1)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					

Please note:

- This schedule will be used to assist with the calculation of estimated charges for the processing of the request. A charge notice will be issued to the applicant where applicable.
- An electronic word version of this schedule should be emailed to the FOI inbox (foi@border.gov.au) to enable the Estimate to be prepared and submitted to the applicant.
- The FOI Section will advise you when the Notice of Estimated Charges has been issued to the Applicant; and of any changes to the statutory timeframe in this matter.
- The statutory timeframe for processing an FOI request is suspended once the applicant has received the Notification of Estimated Charges, and will only restart once the applicant has either paid the deposit due or the amount in full.

E-mail Message

From: FOI [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FOI715]
To: David NOCKELS [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRDNCIf9a], PHILLIPS Neil [SMTP:neil.phillips@border.gov.au], Portfolio Media [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Portfolio Mediabb0]
Cc: Cindy BRISCOE [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EXBACF93e], Jill CHARKER [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJCX0118], s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EXBASl3ee], s. 22(a)(1)(ii) [SMTP:s. 22(a)(1)(ii)] Steve INGRAM [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRSiCBddb], s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=s. 22(1)(a)(ii)], s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=s. 22(1)(a)(ii)], Ben WRIGHT [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRBWCQcce], Maree BRIDGER [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Maree Bridger (Customs)22b], s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRGBCZd5e], Mark JEFFRIES [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRMJMEab5], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)] s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=WARDELL s. 22(1)(a)(ii)], John WISEMAN [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJWXM7f9], s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EXBAMQf35], DLO [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DLO263], Strategic Issue Management [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Strategic Issue Management9d8]
Sent: 18/05/2016 at 2:29 PM
Received: 18/05/2016 at 2:29 PM
Subject: FOI Alert - New request received by the Department [DLM=For-Official-Use Only]

FOR NOTING AND INFORMATION ONLY - NO ACTION REQUIRED

Our References: FA 16/05/01387; ADF2016/21290

FREEDOM OF INFORMATION (FOI) REQUEST [REDACTED] The Guardian Australia

Key Points

- On 14 May 2016, the Department of Immigration and Border Protection (DIBP) received a request for access to documents under the Freedom of Information Act 1982 (FOI Act), from [REDACTED] of The Guardian Australia.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

2. The request is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

3. A decision on access to these documents is due on or before 15 June 2016.

Request Status

4. The FOI Section is seeking documents that fall within the scope of this request from the Detention Services Division.

5. For updates on the status of this request please review the Weekly FOI Report, updated every Thursday.

Further enquiries about this FOI request can be directed to me on the details below.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection

P| s. 22(1)(a)(ii)

E| foi@border.gov.au

Please consider the environment before printing this email

Released by DIEL under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRCBXC979]
To: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)]
Cc: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)]
Sent: 30/05/2016 at 4:09 PM
Received: 30/05/2016 at 4:09 PM
Subject: RE: New FOI Request – Seeking documents [redacted] FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Attachments: Schedule of Documents.doc
 Checklist for FOI - Seeking documents.pdf

For-Official-Use-Only

Hello s. 22(1)(a)(ii)

Further to s. 22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents – Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [redacted] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of

Released by DIBP under the Freedom of Information Act 1982

s. 22(1)(a)(ii)

the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

· If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

Kind regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

FOI Officer 1 Freedom of Information Section
Information Management Branch 1 Corporate Services Division

Corporate Group
Department of Immigration and Border Protection
P: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: FOI
Sent: Wednesday, 18 May 2016 2:21 PM
To: s.22(1)(a)(ii)
Subject: FW: New FOI Request - Seeking documents [REDACTED] FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s.22(1)(a)(ii)

Please see email below sent to s.22(1)(a)(ii) I have received an out of office for him that indicates any inquiries should be referred to you in his absence.

Thanks very much.

With kind regards

s.22(1)(a)(ii)
FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

From: FOI
Sent: Wednesday, 18 May 2016 1:24 PM
To: s.22(1)(a)(ii)
Cc: Detention Services
Subject: New FOI Request - Seeking documents [REDACTED] FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

Released by DIBP under the
Freedom of Information Act 1982

s.22(1)(a)(ii)

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au)FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this

Released by DIBP under the
Freedom of Information Act 1982

request, please let us know as soon as possible.

. If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

Released by DLE, under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRLRCL461]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)
Cc: Detention Services [SMTP:detention.services@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) FOI [SMTP:foi@border.gov.au]
Sent: 31/5/2016 at 12:34 PM
Received: 31/5/2016 at 12:34 PM
Subject: RE: For your early action, pls : New FOI Request – Seeking documents – FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the advice. We'll be in touch if we need anything more.

Regards

s. 22(1)(a)(ii)

(a)(ii)
 Director Freedom of Information
 Information Management Branch / Corporate Services Division
 Corporate Group
 Department of Immigration and Border Protection
 T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Tuesday, 31 May 2016 11:10 AM
To: s. 22(1)(a)(ii)
Cc: Detention Services; s. 22(1)(a)(ii)
Subject: FW: For your early action, pls : New FOI Request – Seeking documents FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

Response to your further question follows.

It would appear then that no further action is required by us in regard to this request.

Please confirm.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:33 PM

To: s. 22(1)(a)(ii) RPC Service Delivery

Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

DIBP does not hold a contract with Wilson Security. They have a subcontract with BROADSPECTRUM. It is not a contractual requirement for BROADSPECTRUM to provide any copies of any of the documents stated in the FOI request.

s. 22(1)(a)(ii)

Regards

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:08 PM
To: RPC Service Delivery
Cc: s. 22(1)(a)(ii); s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)
Subject: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thank you for your reply about the above FOI request a little earlier.

Please see s. 22(1)(a)(ii) reply below and please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:03 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
 - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the response. Can you also please confirm that there is nothing in the contract that requires Wilson to provide us with a copy of these documents.

Thanks

s. 22(1)(a)(ii)

(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:00 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: FW: For your early action, pls : New FOI Request - Seeking documents
 - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I am informed that we do not possess a copy of any such consultant's report.

Can you please confirm that no further action is required by us in regard to this request?

s. 22(1)(a)(ii)

Many thanks,

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:57 PM
To: s. 22(1)(a)(ii)
Cc: Detention Services
Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Would you like to convey below email to s. 22(1)(a)(ii) and get her endorsement that nothing more needs to be done re this FOI request, please.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section
Services Management Branch | Detention Services Division
Support Group
Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK
"mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:53 PM
To: s. 22(1)(a)(ii) RPC Service Delivery
Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

s. 22(1)(a)(ii)

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I can confirm that we do not hold any of the documents requested in this FOI request in the Service Delivery Team.

Regards

s. 22(1)(a)(ii)

Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch| Detention Services Division

Support Group

Australian Border Force

Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK

"mailto:s. 22(1)(a)(ii)

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:40 PM

To: RPC Service Delivery

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)

Subject: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii) / s. 22(1)(a)(ii)

s. 22(1)(a)(ii) just phoned s. 22(1)(a)(ii) about the above request.

She would like to know urgently if the report/submission referred to is held in the department, please.

s. 22(1)(a)(ii)

Please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of DSD Coordination

Sent: Monday, 30 May 2016 3:14 PM

To: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii)

Subject: FOR ACTION: New FOI Request - Seeking documents - - FA
16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Good afternoon s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Can you please assist s. 22(1)(a)(ii) with this request noting:

If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

If there are any problems in meeting the action due date please advise s. 22(1)(a)(ii) as soon as possible.

Regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Assistant Director - Governance and Coordination

Services Management Branch | Detention Services Division

Australian Border Force

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Monday, 30 May 2016 3:09 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: RE: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello s. 22(1)(a)(ii)

Further to s. 22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>.'

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.

- If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

- If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au) by COB 25 May 2016.

- Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

- Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

- If there are any problems in meeting the action due date please advise me as soon as possible.

- When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

- If your area does not have any documents within the scope of this request, please let us know as soon as possible.

- If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

Kind regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 2:21 PM

To: s. 22(1)(a)(ii)

Subject: FW: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s. 22(1)(a)(ii)

Please see email below sent to s. 22(1)(a)(ii) I have received an out of office for him that indicates any inquiries should be referred to you in his absence.

Thanks very much.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

From: FOI

Sent: Wednesday, 18 May 2016 1:24 PM

To: s. 22(1)(a)(ii)

Cc: Detention Services

Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au) by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and

their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

. If your area does not have any documents within the scope of this request, please let us know as soon as possible.

. If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

Released by DLE, under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRLRCL461]
To: s. 22(1)(a)(ii)
Cc: [SMTP:s. 22(1)(a)(ii)]
 Detention Services [SMTP:detention.services@border.gov.au], s. 22(1)(a)(ii)
 s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
 FOI [SMTP:foi@border.gov.au], s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii)] s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Sent: 10/6/2016 at 3:56 PM
Received: 10/6/2016 at 3:56 PM
Subject: RE: For your early action, pls : New FOI Request – Seeking documents –
 FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

We have sought further advice and it would appear that the documents are likely to be required to be provided to the department under the subcontract that Wilson has with Broadspectrum. Can you please organise to have them provided to us. I have repeated the request immediately below and highlighted the pertinent part:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)

Please advise them that nothing will be released without further consultation with them but we need to get the documents ASAP to assess. Please note also that it would only apply to documents in the possession of Wilson Security at the time the request was received, that is, 14 July 2016.

Regards

s. 22(1)(a)(ii)

(a)(ii)
 Director Freedom of Information

Information Management Branch / Corporate Services Division

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Tuesday, 31 May 2016 11:35 AM

To: s. 22(1)(a)(ii)

Cc: Detention Services; s. 22(1)(a)(ii) FOI

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the advice. We'll be in touch if we need anything more.

Regards

s. 22(1)(a)(ii)

(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Tuesday, 31 May 2016 11:10 AM

To: s. 22(1)(a)(ii)

Cc: Detention Services; s. 22(1)(a)(ii)

Subject: FW: For your early action, pls : New FOI Request - Seeking documents

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi [REDACTED]

Response to your further question follows.

It would appear then that no further action is required by us in regard to this request.

Please confirm.

Kind regards.

[REDACTED]

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: [REDACTED] ws: [REDACTED]

e: HYPERLINK

"mailto:[REDACTED]"

For-Official-Use-Only

From: [REDACTED]

Sent: Monday, 30 May 2016 4:33 PM

To: [REDACTED] RPC Service Delivery

Cc: [REDACTED] Detention Services; [REDACTED]

Subject: RE: For your early action, pls : New FOI Request - Seeking documents

[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

[REDACTED]

Released by DIBP under the
Freedom of Information Act 1982

Hi s. 22(1)(a)(ii)

DIBP does not hold a contract with Wilson Security. They have a subcontract with Broadspectrum. It is not a contractual requirement for Broadspectrum to provide any copies of any of the documents stated in the FOI request.

Regards

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:08 PM
To: RPC Service Delivery
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)
Subject: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thank you for your reply about the above FOI request a little earlier.

Please see s. 22(1)(a)(ii) reply below and please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

e: HYPERLINK
"mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:03 PM
To: s.22(1)(a)(ii)
Cc: s.22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Thanks for the response. Can you also please confirm that there is nothing in the contract that requires Wilson to provide us with a copy of these documents.

Thanks

s.22(1)(a)(ii)

(a)(ii)
Director Freedom of Information
Information Management Branch / Corporate Services Division
Corporate Group
Department of Immigration and Border Protection
T: s.22(1)(a)(ii) I M: s.22(1)(a)(ii)
E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:00 PM
To: s.22(1)(a)(ii)
Cc: s.22(1)(a)(ii)
Subject: FW: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.22(1)(a)(ii)

s.22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

I am informed that we do not possess a copy of any such consultant's report.

Can you please confirm that no further action is required by us in regard to this request?

Many thanks,

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:57 PM
To: s. 22(1)(a)(ii)
Cc: Detention Services
Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
s. 22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Would you like to convey below email to s. 22(1)(a)(ii) and get her endorsement that nothing more needs to be done re this FOI request, please.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Monday, 30 May 2016 3:53 PM
 To: s. 22(1)(a)(ii) RPC Service Delivery
 Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
 - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I can confirm that we do not hold any of the documents requested in this FOI request in the Service Delivery Team.

Regards

s. 22(1)(a)(ii)

Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch| Detention Services Division

Support Group

Australian Border Force

Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK

"mailto:s. 22(1)(a)(ii)

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Monday, 30 May 2016 3:40 PM
 To: RPC Service Delivery
 Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)
 Subject: For your early action, pls : New FOI Request - Seeking documents -
 - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii) / s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

s. 22(1)(a)(ii) just phoned s. 22(1)(a)(ii) about the above request.

She would like to know urgently if the report/submission referred to is held in the department, please.

Please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of DSD Coordination

Sent: Monday, 30 May 2016 3:14 PM

To: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii)

Subject: FOR ACTION: New FOI Request - Seeking documents - s. 22(1)(a)(ii) - FA
16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Good afternoon s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Can you please assist s. 22(1)(a)(ii) with this request noting:

If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK
"mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

s. 22(1)(a)(ii)

If there are any problems in meeting the action due date please advise s. 22(1)(a)(ii) as soon as possible.

Regards

s. 22(1)(a)(ii)

(a)(ii)
Assistant Director - Governance and Coordination
Services Management Branch | Detention Services Division
Australian Border Force
P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Monday, 30 May 2016 3:09 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
Subject: RE: New FOI Request - Seeking documents - - FA 16/05/01387;
ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello s. 22(1)(a)(ii)

Further to s. 22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.
 - If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.
 - If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au) by COB 25 May 2016.
 - Please also provide a completed schedule of documents. A template for that purpose is attached for your use.
 - Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.
 - If there are any problems in meeting the action due date please advise me as soon as possible.
 - When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.
- No documents identified:
- If your area does not have any documents within the scope of this request, please let us know as soon as possible.
 - If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Released by DLE, under the
Freedom of Information Act 1982

Thank you for your assistance with processing this request.

Kind regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Services Division

Corporate Group
Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 2:21 PM

To: s. 22(1)(a)(ii)

Subject: FW: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s. 22(1)(a)(ii)

Please see email below sent to s. 22(1)(a)(ii) I have received an out of office for him that indicates any inquiries should be referred to you in his absence.

Thanks very much.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

From: FOI

Sent: Wednesday, 18 May 2016 1:24 PM

To: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Cc: Detention Services
Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

Released by DLE under the
Freedom of Information Act 1982

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

· If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

Released by DIEL under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRLRCL461]
To: FOIExtensions@oaic.gov.au [SMTP:FOIExtensions@oaic.gov.au]
Cc: FOI [SMTP:foi@border.gov.au]
Sent: 10/6/2016 at 4:24 PM
Received: 10/6/2016 at 4:24 PM
Subject: Request for s15AB extension - DIBP - [REDACTED] FA 16/05/03187 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear OAIC FOI Extensions

DIBP reference: FA 16/05/03187; ADF2016/21290

OAIC reference

I am writing to request a s.15AB extension of 14 days for an FOI request made by applicant, [REDACTED], The Guardian Australia, contactable at HYPERLINK

"mailto:[REDACTED] ph: [REDACTED]
 [REDACTED] This would result in a new due date of 27 June 2016.

Details of the access request

[REDACTED] lodged his FOI access request (complying with s.15) with the Department of Immigration and Border Protection on 14 May 2016. DIBP is currently due to make a decision on the applicant's request by 13 June 2016.

The scope of the request is as follows:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>

Reasons

s. 22(1)(a)(ii)

Released by DIT under the
 Freedom of Information Act 1982

Delays have been experienced in determining whether the documents are subject to the contract provisions of the FOI Act. The nature of the documents is exceptionally sensitive and the matter is complex as it relates to a sub-contractor of the Department and staff management issues. An extension of time under s.15AA of the FOI Act has been sought from the applicant but no response has been received.

DIBP is still in the process of acquiring the documents and additional time will enable DIBP to assess the documents and determine what further consultation is required.

Please contact me at HYPERLINK "mailto:foi@immi.gov.au"foi@immi.gov.au if you have any further questions.

Regards

s. 22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

UNCLASSIFIED

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: Timothy Fleming [SMTP:Timothy.Fleming@oaic.gov.au]
To: FOI [SMTP:foi@border.gov.au]
Cc:
Sent: 15/6/2016 at 4:22 PM
Received: 15/6/2016 at 4:22 PM
Subject: RE: RQ16/02285 - Request for s15AB extension - DIBP [REDACTED] FA
 16/05/03187 [SEC=UNCLASSIFIED]

Attachments: image001.jpg

Our reference: RQ16/02285

Your reference: FA 16/05/03187

The FOI Contact Officer

Department of Immigration and Border Protection

Extension of time request under s 15AB

Thank you for your correspondence of 10 June 2016, in which you requested an extension of time for the Department of Immigration and Border Protection (DIBP) to process [REDACTED] request, received 14 May 2016, under the Freedom of Information Act 1982 (Cth) (the FOI Act).

You have sought an extension on the basis that the current processing period is insufficient to deal adequately with the request, because it is voluminous or complex.

Decision

As a delegate of the Information Commissioner, I am authorised to make decisions on requests for extensions of time under s 15AB of the FOI Act.

I have decided to grant the DIBP an extension of time under s 15AB (2) of the FOI Act to close of business 27 June 2016. In coming to this decision I have considered factors including your advice that:

· Determining whether s 6C applies to the entity holding the relevant documents has been difficult and has delayed processing of the request.

By granting an extension of time it is anticipated that the DIBP will provide a well-reasoned and better managed decision.

[REDACTED] will be notified of the OAIC's decision.

Contact

If you have any questions about this email, please contact me on 02 9284 9731 or via email [HYPERLINK](mailto:timothy.fleming@oaic.gov.au)

"mailto:timothy.fleming@oaic.gov.au"timothy.fleming@oaic.gov.au. In all correspondence please include the OAIC reference number above.

Yours sincerely

Timothy Fleming| Investigations Officer

Released by DIBP under the
Freedom of Information Act 1982

Office of the Australian Information Commissioner

Level 3, 175 Pitt Street, Sydney NSW 2000

GPO Box 5218 Sydney NSW 2001 | www.oaic.gov.au

Phone: +61 2 9284 9731

Fax: +61 2 9284 9666

Email: HYPERLINK "mailto:timothy.fleming@oaic.gov.au"timothy.fleming@oaic.gov.au

Protecting information rights - advancing information policy

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)] On Behalf Of FOI
Sent: Friday, 10 June 2016 3:24 PM
To: Enquiries
Cc: FOI
Subject: RQ16/02285 - Request for s15AB extension - DIBP - [REDACTED] - FA
16/05/03187 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear OAIC FOI Extensions

DIBP reference: FA 16/05/03187; ADF2016/21290

OAIC reference

I am writing to request a s.15AB extension of 14 days for an FOI request made by applicant, [REDACTED] The Guardian Australia, contactable at HYPERLINK "mailto:[REDACTED]" ph: [REDACTED]

[REDACTED] This would result in a new due date of 27 June 2016.

Details of the access request

[REDACTED] lodged his FOI access request (complying with s.15) with the Department of Immigration and Border Protection on 14 May 2016. DIBP is currently due to make a decision on the applicant's request by 13 June 2016.

The scope of the request is as follows:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.>'

Reasons

Delays have been experienced in determining whether the documents are subject to the contract provisions of the FOI Act. The nature of the documents is exceptionally sensitive and the matter is complex as it relates to a sub-contractor of the Department and staff management issues. An extension of time under s.15AA of the FOI Act has been sought from the applicant but no response has been received.

DIBP is still in the process of acquiring the documents and additional time will enable DIBP to assess the documents and determine what further consultation is required.

Please contact me at HYPERLINK "<mailto:foi@immi.gov.au>"foi@immi.gov.au if you have any further questions.

Regards

s. 22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "[mailto:s. 22\(1\)\(a\)\(ii\)](mailto:s. 22(1)(a)(ii)@immi.gov.au)"

UNCLASSIFIED

Important Notice: The content of this email is intended only for use by the individual or entity to whom it is addressed. If you have received this email by mistake, please advise the sender and delete the message and attachments immediately. This email, including attachments, may contain confidential, sensitive, legally privileged and/or copyright information.

Any review, retransmission, dissemination or other use of this information by

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

persons or entities other than the intended recipient is prohibited. DIBP respects your privacy and has obligations under the Privacy Act 1988.

Unsolicited commercial emails MUST NOT be sent to the originator of this email.

WARNING: The information contained in this email may be confidential.
If you are not the intended recipient, any use or copying of any part
of this information is unauthorised. If you have received this email in
error, we apologise for any inconvenience and request that you notify
the sender immediately and delete all copies of this email, together
with any attachments.

Released by DIBP under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRHVCB61E]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) DSD Coordination [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Sent: 22/6/2016 at 3:39 PM
Received: 22/6/2016 at 3:40 PM
Subject: RE: For your early action, pls : New FOI Request – Seeking documents – [REDACTED] FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Attachments: @

For-Official-Use-Only

Hi s. 22(1)(a)(ii) (Many thanks, s. 22(1)(a)(ii)

In relation to the above FOI request, the department has located the attached document.

As the report only relates to the staff conduct of one staff member, we will let the request for documents currently with Broadspectrum continue.

It is likely to get back to me in the next couple of days when I shall be in further touch.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Governance and Coordination Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Friday, 10 June 2016 2:57 PM
To: s. 22(1)(a)(ii)
Cc: Detention Services; s. 22(1)(a)(ii) FOI; s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

We have sought further advice and it would appear that the documents are likely to be required to be provided to the department under the subcontract that Wilson has with Broadspectrum. Can you please organise to have them provided to us. I have repeated the request immediately below and highlighted the pertinent part:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Please advise them that nothing will be released without further consultation with them but we need to get the documents ASAP to assess. Please note also that it would only apply to documents in the possession of Wilson Security at the time the request was received, that is, 14 July 2016.

Regards

s. 22(1)(a)(ii)

(a)(ii)
Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Tuesday, 31 May 2016 11:35 AM
To: s.22(1)(a)(ii)
Cc: Detention Services; s.22(1)(a)(ii) FOI
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Thanks for the advice. We'll be in touch if we need anything more.

Regards

s.22(1)(a)(ii)

(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s.22(1)(a)(ii) I M: s.22(1)(a)(ii)

E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Tuesday, 31 May 2016 11:10 AM
To: s.22(1)(a)(ii)
Cc: Detention Services; s.22(1)(a)(ii)
Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

s.22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Hi s. 22(1)(a)(ii)

Response to your further question follows.

It would appear then that no further action is required by us in regard to this request.

Please confirm.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:33 PM

To: s. 22(1)(a)(ii) RPC Service Delivery

Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

DIBP does not hold a contract with Wilson Security. They have a subcontract with

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Broadspectrum. It is not a contractual requirement for Broadspectrum to provide any copies of any of the documents stated in the FOI request.

Regards

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:08 PM
To: RPC Service Delivery
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)
Subject: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thank you for your reply about the above FOI request a little earlier.

Please see s. 22(1)(a)(ii) reply below and please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:03 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the response. Can you also please confirm that there is nothing in the contract that requires Wilson to provide us with a copy of these documents.

Thanks

s. 22(1)(a)(ii)

(a)(ii)
Director Freedom of Information
Information Management Branch / Corporate Services Division
Corporate Group
Department of Immigration and Border Protection
T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:00 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
Subject: FW: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I am informed that we do not possess a copy of any such consultant's report.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Can you please confirm that no further action is required by us in regard to this request?

Many thanks,

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Monday, 30 May 2016 3:57 PM
 To: s. 22(1)(a)(ii)
 Cc: Detention Services
 Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
 - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Would you like to convey below email to s. 22(1)(a)(ii) and get her endorsement that nothing more needs to be done re this FOI request, please.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section
 Services Management Branch | Detention Services Division
 Support Group
 Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK
 "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Monday, 30 May 2016 3:53 PM
 To: s. 22(1)(a)(ii) RPC Service Delivery

s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
 - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I can confirm that we do not hold any of the documents requested in this FOI request in the Service Delivery Team.

Regards

s. 22(1)(a)(ii)

Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch| Detention Services Division

Support Group

Australian Border Force

Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK

"mailto:s. 22(1)(a)(ii)

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:40 PM

To: RPC Service Delivery

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)

Subject: For your early action, pls : New FOI Request - Seeking documents -
 - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii) / s. 22(1)(a)(ii)

s. 22(1)(a)(ii) just phoned s. 22(1)(a)(ii) about the above request.

She would like to know urgently if the report/submission referred to is held in the department, please.

s. 22(1)(a)(ii)

Please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of DSD Coordination

Sent: Monday, 30 May 2016 3:14 PM

To: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii)

Subject: FOR ACTION: New FOI Request - Seeking documents - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Good afternoon s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Can you please assist s. 22(1)(a)(ii) with this request noting:

• If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

• If there are any problems in meeting the action due date please advise s. 22(1)(a)(ii) as soon as possible.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Assistant Director - Governance and Coordination

Services Management Branch | Detention Services Division

Australian Border Force

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Monday, 30 May 2016 3:09 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: RE: New FOI Request - Seeking documents - - FA 16/05/01387;
ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello s. 22(1)(a)(ii)

Further to s. 22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>.'

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

· If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

Released by DLE under the
Freedom of Information Act 1982

Kind regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Services Division

Corporate Group
Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 2:21 PM

To: s. 22(1)(a)(ii)

Subject: FW: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s. 22(1)(a)(ii)

Please see email below sent to s. 22(1)(a)(ii) I have received an out of office for him that indicates any inquiries should be referred to you in his absence.

Thanks very much.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

From: FOI

Sent: Wednesday, 18 May 2016 1:24 PM

To: s. 22(1)(a)(ii)

Cc: Detention Services

Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au)FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

Released by DLE under the
Freedom of Information Act 1982

. When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

. If your area does not have any documents within the scope of this request, please let us know as soon as possible.

. If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

<<

t00EVSR8.pdf (516.9KB)

(516.9KB)

>>

Released by DIEL under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRCCXPE8D]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)] DSD Coordination
 [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii)] s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii)] s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii)]
Sent: 18/7/2016 at 9:49 AM
Received: 18/7/2016 at 9:49 AM
Subject: RE: Follow-up on FOI request - Broadspectrum - [REDACTED] - FA
 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

The document provided is all we hold in the section. BRS may hold something but I am unsure. s. 22(1)(a)(ii) has put a request to them for any documents in scope but they haven't been received as yet.

Regards

s. 22(1)(a)(ii)

Senior Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch| Detention Services Division

Support Group

Australian Border Force

Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK

"mailto:s. 22(1)(a)(ii)

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Friday, 15 July 2016 5:34 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: Follow-up on FOI request - Broadspectrum - [REDACTED] - FA

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

I acknowledge the document provided by s. 22(1)(a)(ii) on 22 June. Are you able to please advise whether Broadspectrum has any other documents relevant to this request? s. 22(1)(a)(ii) advice below indicates this may be the case. A reminder of what is being sought is provided in s. 22(1)(a)(ii) email of 10 June 2016, below.

Thanks

s. 22(1)(a)(ii)

Assistant Director, Freedom of Information Section
Information Management Branch

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 22 June 2016 2:40 PM

To: FOI

Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii) (Many thanks, s. 22(1)(a)(ii))

In relation to the above FOI request, the department has located the attached document.

As the report only relates to the staff conduct of one staff member, we will let the request for documents currently with Broadspectrum continue.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

It is likely to get back to me in the next couple of days when I shall be in further touch.

Kind regards.

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Governance and Coordination Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s.22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK
"mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii) On Behalf Of FOI
Sent: Friday, 10 June 2016 2:57 PM
To: s.22(1)(a)(ii)
Cc: Detention Services; s.22(1)(a)(ii); FOI; s.22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s.22(1)(a)(ii)

We have sought further advice and it would appear that the documents are likely to be required to be provided to the department under the subcontract that Wilson has with Broadspectrum. Can you please organise to have them provided to us. I have repeated the request immediately below and highlighted the pertinent part:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

s. 22(1)(a)(ii)

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.>'

Please advise them that nothing will be released without further consultation with them but we need to get the documents ASAP to assess. Please note also that it would only apply to documents in the possession of Wilson Security at the time the request was received, that is, 14 July 2016.

Regards

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s.22(1)(a)(ii) I M: s.22(1)(a)(ii)

E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii)

Sent: Tuesday, 31 May 2016 11:35 AM

To: s.22(1)(a)(ii)

Cc: Detention Services; s.22(1)(a)(ii) FOI

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Thanks for the advice. We'll be in touch if we need anything more.

Regards

s.22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

s.22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s.22(1)(a)(ii) I M: s.22(1)(a)(ii)

E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii)

Sent: Tuesday, 31 May 2016 11:10 AM

To: s.22(1)(a)(ii)

Cc: Detention Services; s.22(1)(a)(ii)

Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Response to your further question follows.

It would appear then that no further action is required by us in regard to this request.

Please confirm.

Kind regards.

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

p: s.22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:33 PM
To: s.22(1)(a)(ii) RPC Service Delivery
Cc: s.22(1)(a)(ii) Detention Services; s.22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

DIBP does not hold a contract with Wilson Security. They have a subcontract with Broadspectrum. It is not a contractual requirement for Broadspectrum to provide any copies of any of the documents stated in the FOI request.

Regards

s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:08 PM
To: RPC Service Delivery
Cc: s.22(1)(a)(ii) ; s.22(1)(a)(ii) ; Detention Services; s.22(1)(a)(ii)
Subject: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Thank you for your reply about the above FOI request a little earlier.

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Please see s.22(1)(a)(ii) reply below and please advise.

Many thanks.

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s.22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:03 PM

To: s.22(1)(a)(ii)

Cc: s.22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Thanks for the response. Can you also please confirm that there is nothing in the contract that requires Wilson to provide us with a copy of these documents.

Thanks

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Department of Immigration and Border Protection

T: s.22(1)(a)(ii) I M: s.22(1)(a)(ii)

E: HYPERLINK "mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:00 PM

To: s.22(1)(a)(ii)

Cc: s.22(1)(a)(ii)

Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s.22(1)(a)(ii)

I am informed that we do not possess a copy of any such consultant's report.

Can you please confirm that no further action is required by us in regard to this request?

Many thanks,

s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:57 PM

To: s.22(1)(a)(ii)

Cc: Detention Services

Subject: FW: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Would you like to convey below email to s.22(1)(a)(ii) and get her endorsement that nothing more needs to be done re this FOI request, please.

s.22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Many thanks.

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s.22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:53 PM

To: s.22(1)(a)(ii); RPC Service Delivery

Cc: s.22(1)(a)(ii); Detention Services; s.22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

I can confirm that we do not hold any of the documents requested in this FOI request in the Service Delivery Team.

Regards

s.22(1)(a)(ii)

Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch| Detention Services Division

Support Group

Australian Border Force

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Telephone: s.22(1)(a)(ii)
Email: HYPERLINK
"mailto:s.22(1)(a)(ii)

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:40 PM
To: RPC Service Delivery
Cc: s.22(1)(a)(ii); s.22(1)(a)(ii); Detention Services; s.22(1)(a)(ii)
Subject: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.22(1)(a)(ii)

s.22(1)(a)(ii) just phoned s.22(1)(a)(ii) about the above request.

She would like to know urgently if the report/submission referred to is held in the department, please.

Please advise.

Many thanks.

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s.22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK
"mailto:s.22(1)(a)(ii)

For-Official-Use-Only

s. 22(1)(a)(ii)

From: s.22(1)(a)(ii) On Behalf Of DSD Coordination
 Sent: Monday, 30 May 2016 3:14 PM
 To: s.22(1)(a)(ii); s.22(1)(a)(ii)
 Cc: s.22(1)(a)(ii); s.22(1)(a)(ii); DSD Coordination; s.22(1)(a)(ii)
 Subject: FOR ACTION: New FOI Request - Seeking documents - s.22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Good afternoon s.22(1)(a)(ii) and s.22(1)(a)(ii)

Can you please assist s.22(1)(a)(ii) with this request noting:

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· If there are any problems in meeting the action due date please advise s.22(1)(a)(ii) as soon as possible.

Regards

s.22(1)(a)(ii)

s.22(1)(a)(ii)
 Assistant Director - Governance and Coordination

Services Management Branch | Detention Services Division

Australian Border Force

P: s.22(1)(a)(ii) | M: s.22(1)(a)(ii)

E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii) On Behalf Of FOI
 Sent: Monday, 30 May 2016 3:09 PM
 To: s.22(1)(a)(ii)
 Cc: s.22(1)(a)(ii)
 Subject: RE: New FOI Request - Seeking documents - s.22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello s.22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DLE under the
 Freedom of Information Act 1982

Further to s.22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.

- If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

- If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

- Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

If there are any problems in meeting the action due date please advise me as soon as possible.

When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

If your area does not have any documents within the scope of this request, please let us know as soon as possible.

If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

Kind regards

s.22(1)(a)(ii)

s.22(1)(a)(ii)

FOI Officer 1 Freedom of Information Section
Information Management Branch 1 Corporate Services Division

Corporate Group
Department of Immigration and Border Protection

P: s.22(1)(a)(ii)

E: HYPERLINK "mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 2:21 PM

To: s.22(1)(a)(ii)

Subject: FW: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s.22(1)(a)(ii)

Please see email below sent to s.22(1)(a)(ii) I have received an out of office for him that indicates any inquiries should be referred to you in his absence.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Thanks very much.

With kind regards

s.22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

From: FOI
Sent: Wednesday, 18 May 2016 1:24 PM
To: s.22(1)(a)(ii)
Cc: Detention Services
Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>.'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.
- If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.
- If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au) by COB 25 May 2016.
- Please also provide a completed schedule of documents. A template for that purpose is attached for your use.
- Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.
- If there are any problems in meeting the action due date please advise me as soon as possible.
- When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

- If your area does not have any documents within the scope of this request, please let us know as soon as possible.
- If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s.22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| [HYPERLINK "mailto:foi@border.gov.au"](mailto:foi@border.gov.au)

Please consider the environment before printing this email

Released by DLE under the
Freedom of Information Act 1982

E-mail Message

From: s.22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRLRCL461]
To: s.22(1)(a)(ii) [SMTP:s.22(1)(a)(ii)]
Cc: DSD Coordination [SMTP:dsd.coordination@border.gov.au], s.22(1)(a)(ii) [SMTP:s.22(1)(a)(ii)], s.22(1)(a)(ii) [SMTP:s.22(1)(a)(ii)], s.22(1)(a)(ii) [SMTP:s.22(1)(a)(ii)], FOI [SMTP:foi@border.gov.au], s.22(1)(a)(ii) [SMTP:s.22(1)(a)(ii)], RPC Service Delivery [SMTP:rpc.service.delivery@border.gov.au]
Sent: 21/7/2016 at 12:24 AM
Received: 21/7/2016 at 12:24 AM
Subject: RE: RESPONSE: Follow-up on FOI request - Broadspectrum - [REDACTED]
 FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s.22(1)(a)(ii)

Thankyou.

Regards

s.22(1)(a)(ii)

s.22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s.22(1)(a)(ii) I M: s.22(1)(a)(ii)

E: HYPERLINK "mailto:s.22(1)(a)(ii)"

For-Official-Use-Only

From: s.22(1)(a)(ii)
Sent: Wednesday, 20 July 2016 2:47 PM
To: s.22(1)(a)(ii)
Cc: DSD Coordination; s.22(1)(a)(ii); s.22(1)(a)(ii); s.22(1)(a)(ii); FOI; s.22(1)(a)(ii); RPC Service Delivery
Subject: RE: RESPONSE: Follow-up on FOI request - Broadspectrum - [REDACTED]
 FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

s.22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Hi s.22(1)(a)(ii)

I have raised the matter with Broadspectrum and expect to hear from them in the next day or so.

Kind regards.

s.22(1)(a)(ii)

s.22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s.22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: s.22(1)(a)(ii)

Sent: Wednesday, 20 July 2016 11:26 AM

To: s.22(1)(a)(ii)

Cc: DSD Coordination; s.22(1)(a)(ii) s.22(1)(a)(ii) s.22(1)(a)(ii) FOI

Subject: RE: Follow-up on FOI request - Broadspectrum - re. s.22(1)(a)(ii) - FA
16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.22(1)(a)(ii)

Thanks for that. Given the thoroughness with which BRS reviews documents before they provide them to DIBP s.47E(d)

Can you please ask them to provide the documents to DIBP ASAP and to provide their comments at a later date. Please assure them that we would not be releasing anything without further consultation. We also need to get an idea how many documents are in the scope of this request so their prompt provision is essential.

s.22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Happy to discuss. Please let me know if I need to escalate.

Thanks

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 20 July 2016 9:12 AM

To: FOI

Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: Follow-up on FOI request - Broadspectrum - FA
16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

BRS have confirmed with me that there are documents to be submitted for this request. It is currently with their legal team reviewing the documents.

Regards

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Friday, 15 July 2016 5:34 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Subject: Follow-up on FOI request - Broadspectrum - re. [REDACTED] - FA
16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

I acknowledge the document provided by s. 22(1)(a)(ii) on 22 June. Are you able to please advise whether Broadspectrum has any other documents relevant to this request? s. 22(1)(a)(ii) advice below indicates this may be the case. A reminder of what is being sought is provided in s. 22(1)(a)(ii) email of 10 June 2016, below.

Thanks

s. 22(1)(a)(ii)

Assistant Director, Freedom of Information Section
Information Management Branch

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 22 June 2016 2:40 PM

To: FOI

Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
[REDACTED] FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii) (Many thanks, s. 22(1)(a)(ii))

In relation to the above FOI request, the department has located the attached document.

As the report only relates to the staff conduct of one staff member, we will let the request for documents currently with Broadspectrum continue.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

It is likely to get back to me in the next couple of days when I shall be in further touch.

Kind regards,

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Governance and Coordination Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Friday, 10 June 2016 2:57 PM

To: s. 22(1)(a)(ii)

Cc: Detention Services; s. 22(1)(a)(ii) FOI; s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

We have sought further advice and it would appear that the documents are likely to be required to be provided to the department under the subcontract that Wilson has with Broadspectrum. Can you please organise to have them provided to us. I have repeated the request immediately below and highlighted the pertinent parts.

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

s. 22(1)(a)(ii)

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.>'

Please advise them that nothing will be released without further consultation with them but we need to get the documents ASAP to assess. Please note also that it would only apply to documents in the possession of Wilson Security at the time the request was received, that is, 14 July 2016.

Regards

s. 22(1)(a)(ii)

(a)(ii)
Director Freedom of Information
Information Management Branch / Corporate Services Division
Corporate Group
Department of Immigration and Border Protection
T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Tuesday, 31 May 2016 11:35 AM
To: s. 22(1)(a)(ii)
Cc: Detention Services; s. 22(1)(a)(ii) FOI
Subject: RE: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the advice. We'll be in touch if we need anything more.

Regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Tuesday, 31 May 2016 11:10 AM

To: s. 22(1)(a)(ii)

Cc: Detention Services; s. 22(1)(a)(ii)

Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Response to your further question follows.

It would appear then that no further action is required by us in regard to this request.

Please confirm.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:33 PM

To: s. 22(1)(a)(ii) RPC Service Delivery

Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

DIBP does not hold a contract with Wilson Security. They have a subcontract with Broadspectrum. It is not a contractual requirement for Broadspectrum to provide any copies of any of the documents stated in the FOI request.

Regards

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:08 PM

To: RPC Service Delivery

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thank you for your reply about the above FOI request a little earlier.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Please see s.22(1)(a)(ii) reply below and please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:03 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the response. Can you also please confirm that there is nothing in the contract that requires Wilson to provide us with a copy of these documents

Thanks

s. 22(1)(a)(ii)

(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:00 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I am informed that we do not possess a copy of any such consultant's report.

Can you please confirm that no further action is required by us in regard to this request?

Many thanks,

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:57 PM

To: s. 22(1)(a)(ii)

Cc: Detention Services

Subject: FW: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Would you like to convey below email to s. 22(1)(a)(ii) and get her endorsement that nothing more needs to be done re this FOI request, please.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:53 PM

To: s. 22(1)(a)(ii) RPC Service Delivery

Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I can confirm that we do not hold any of the documents requested in this FOI request in the Service Delivery Team.

Regards

s. 22(1)(a)(ii)

Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch| Detention Services Division

Support Group

s. 22(1)(a)(ii)

Australian Border Force

Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK

"mailto:s. 22(1)(a)(ii)

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:40 PM

To: RPC Service Delivery

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: For your early action, pls : New FOI Request - Seeking documents -

FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii) / s. 22(1)(a)(ii)

s. 22(1)(a)(ii) just phoned s. 22(1)(a)(ii) about the above request.

She would like to know urgently if the report/submission referred to is held in the department, please.

Please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) On Behalf Of DSD Coordination
 Sent: Monday, 30 May 2016 3:14 PM
 To: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
 Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii)
 Subject: FOR ACTION: New FOI Request - Seeking documents - s. 22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Good afternoon s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Can you please assist s. 22(1)(a)(ii) with this request noting:

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· If there are any problems in meeting the action due date please advise s. 22(1)(a)(ii) as soon as possible.

Regards

s. 22(1)(a)(ii)

(a)(ii)
 Assistant Director - Governance and Coordination
 Services Management Branch | Detention Services Division
 Australian Border Force
 P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
 Sent: Monday, 30 May 2016 3:09 PM
 To: s. 22(1)(a)(ii)
 Cc: s. 22(1)(a)(ii)
 Subject: RE: New FOI Request - Seeking documents - s. 22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello s. 22(1)(a)(ii),

s. 22(1)(a)(ii)

Released by DBP under the
 Freedom of Information Act 1982

Further to s. 22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.

- If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

- If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

- Please also provide a completed schedule of documents. A template for

that purpose is attached for your use.

Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

If there are any problems in meeting the action due date please advise me as soon as possible.

When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

If your area does not have any documents within the scope of this request, please let us know as soon as possible.

If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

Kind regards

s. 22(1)(a)(ii)

i)(ii)

FOI Officer 1 Freedom of Information Section
Information Management Branch 1 Corporate Services Division

Corporate Group
Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 2:21 PM

To: s. 22(1)(a)(ii)

Subject: FW: New FOI Request - Seeking documents - - FA 16/05/0138
ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s. 22(1)(a)(ii)

Please see email below sent to s. 22(1)(a)(ii) I have received an out of office for him that indicates any inquiries should be referred to you in his absence.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Thanks very much.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

From: FOI
Sent: Wednesday, 18 May 2016 1:24 PM
To: s. 22(1)(a)(ii)
Cc: Detention Services
Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

· If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

Released by DLE under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRICCCD7C]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 21/7/2016 at 5:50 PM
Received: 21/7/2016 at 5:50 PM
Subject: File note FA 16/05/01387 - telephone call from [REDACTED]
 [SEC=UNCLASSIFIED]

UNCLASSIFIED

I received a telephone call from [REDACTED] around 4.20pm today in relation to this FOI request.

[REDACTED] stated that he had heard that there were no documents for this case as Wilson Security had never conducted a review of staff as promised. I asked who he had 'heard' this from and he stated 'various people'.

I advised [REDACTED] that we are awaiting provision of documents from Broadspectrum.

[REDACTED] asked whether Wilson Security was refusing to pass the documents over to DIBP? I said we don't have a contract with Wilson Security so deal with Broadspectrum.

[REDACTED] asked whether this was an issue with s6C of the Act whereby Wilson Security is not our direct contractor. I said that we are awaiting to see relevant documents before making any decisions. I reiterated that once we receive any relevant documents we will review them as quickly as we are able.

s. 22(1)(a)(ii) witnessed the conversation.

s. 22(1)(a)(ii)
 Assistant Director, Freedom of Information Section
 Information Management Branch

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)" [REDACTED]

UNCLASSIFIED

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRICCCD7C]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Cc:
Sent: 22/7/2016 at 4:03 PM
Received: 22/7/2016 at 4:03 PM
Subject: DRAFT Request for s15AB extension - DIBP - Applicant [REDACTED]
 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

s. 22(1)(a)(ii) - revised request. Do you want to send a follow-up for the docs to s. 22(1)(a)(ii) and/or s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Dear OAIC FOI Extensions

DIBP reference: FA 16/05/01387; ADF2016/21290

OAIC reference: RQ16/02285

I am writing to request an additional s.15AB extension of 30 days for an FOI request made by applicant [REDACTED] contactable at [REDACTED] HYPERLINK "mailto:[REDACTED]"

This would result in a new due date of 27 August 2016.

Details of the access request

[REDACTED] lodged his FOI access request with the Department of Immigration and Border Protection on 14 May 2016. DIBP is currently due to make a decision on the applicant's request by 27 July 2016.

The scope of the request is as follows:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>.'

Timeline

14 May 2016 - FOI request received. Delays were experienced in determining whether the documents were subject to the contract provisions of the FOI Act.

10 June 2016 - FOI Section requested provision of the documentation from the relevant service provider (Broadspectrum, to whom Wilson Security is sub-contracted) and sought an extension from the OAIC under s.15AB.

15 June 2016 - the OAIC granted the Department's request for a 14 day extension, making the statutory due date 27 June 2016.

22 June 2016 - one document possibly within scope of the request was located within the Department. It was confirmed that a request for further documentation was with Broadspectrum.

27 June 2016 - upon examination of the document already held by the Department, the Department determined that formal consultation with Broadspectrum and/or Wilson Security would be required. The applicant was notified that because of the need for formal third party consultation the due date would now be 27 July 2016. Further follow-ups for documentation from Broadspectrum were conducted.

20 July 2016 - Broadspectrum advised it has relevant documentation which it was assessing before providing to the Department. The Department reinforced to Broadspectrum its request for urgent provision of the documentation.

Reasons

Delays are being experienced with obtaining documents from the service provider. The nature of the documents is exceptionally sensitive and the matter is complex as it relates to a sub-contractor of the Department and staff management issues. The Department will utilise the additional time, if granted, to obtain and assess the documentation and to consult it with relevant parties.

Please contact me at HYPERLINK "<mailto:foi@immi.gov.au>"foi@immi.gov.au if you have any further questions.

Regards

For-Official-Use-Only

Released by DLE, under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRICCCD7C]
To: FOIExtensions@oaic.gov.au [SMTP:FOIExtensions@oaic.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 22/7/2016 at 4:35 PM
Received: 22/7/2016 at 4:35 PM
Subject: Request for further s15AB extension - DIBP - Applicant [REDACTED]
 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear OAIC FOI Extensions

DIBP reference: FA 16/05/01387; ADF2016/21290

OAIC reference: RQ16/02285

I am writing to request an additional s.15AB extension of 30 days for an FOI request made by applicant [REDACTED], contactable at [REDACTED] [HYPERLINK "mailto:\[REDACTED\]"](#)

This would result in a new due date of 27 August 2016.

Details of the access request

[REDACTED] lodged his FOI access request with the Department of Immigration and Border Protection on 14 May 2016. DIBP is currently due to make a decision on the applicant's request by 27 July 2016.

The scope of the request is as follows:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Timeline

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

14 May 2016 - FOI request received. Delays were experienced in determining whether the documents were subject to the contract provisions of the FOI Act.

10 June 2016 - FOI Section requested provision of the documentation from the relevant service provider (Broadspectrum, to whom Wilson Security is sub-contracted) and sought an extension from the OAIC under s.15AB.

15 June 2016 - the OAIC granted the Department's request for a 14 day extension, making the statutory due date 27 June 2016.

22 June 2016 - one document possibly within scope of the request was located within the Department. It was confirmed that a request for further documentation was with Broadspectrum.

27 June 2016 - upon examination of the document already held by the Department, the Department determined that formal consultation with Broadspectrum and/or Wilson Security would be required. The applicant was notified that because of the need for formal third party consultation the due date would now be 27 July 2016. Further follow-ups for documentation from Broadspectrum were conducted.

20 July 2016 - Broadspectrum advised it has relevant documentation which it was assessing before providing to the Department. The Department reinforced to Broadspectrum its request for urgent provision of the documentation.

Reasons

Delays are being experienced with obtaining documents from the service provider. The nature of the documents is exceptionally sensitive and the matter is complex as it relates to a sub-contractor of the Department and staff management issues. The Department will utilise the additional time, if granted, to obtain and assess the documentation and to consult it with relevant parties.

Please contact me at HYPERLINK "<mailto:foi@immi.gov.au>"foi@immi.gov.au if you have any further questions.

Yours sincerely

s. 22(1)(a)(ii)

Assistant Director, Freedom of Information Section
Information Management Branch

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: foi@border.gov.au

Released by DLE under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

For-Official-Use-Only

Released by DLE, under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX/C=MM/OU=EXCHANGE ADM NISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRGH3B9AC]
 To: FOI [SMTP:foi@border.gov.au]
 Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
 Sent: 23/11/2016 at 5:51 PM
 Received: 23/11/2016 at 5:51 PM
 Subject: RE: RESPONSE: Follow-up on FOI request - Broadspectrum - re. [REDACTED] - FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Sorry s. 22(1)(a)

s. 22(1)(a)(ii)

I have sent another email to BRS just now to chase up. s. 22(1)(a)(ii), but have informed s. 47F(1) from BRS that I will call her. s. 47E(d)

Will chase.

s. 22(1)(a)(ii)

Director, DSD Coordination and Scrutiny

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Friday, 22 July 2016 3:18 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: FW: RESPONSE: Follow-up on FOI request - Broadspectrum - re. [REDACTED] - FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Not sure how this is progressing but the matter is past urgent - the request is due on 27 July. Are you able to provide a more definite delivery date?

Thanks

s. 22(1)(a)

(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 20 July 2016 11:25 PM

To: s. 22(1)(a)(ii)

Cc: DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) FOI; s. 22(1)(a)(ii) RPC Service Delivery

Subject: RE: RESPONSE: Follow-up on FOI request - Broadspectrum - re. [REDACTED] - FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

Thankyou.

Regards.

s. 22(1)(a)

(a)(ii)
Director Freedom of Information
Information Management Branch / Corporate Services Division
Corporate Group
Department of Immigration and Border Protection
T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Wednesday, 20 July 2016 2:47 PM
To: s. 22(1)(a)(ii)
Cc: DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) FOI: s. 22(1)(a)(ii) RPC Service Delivery
Subject: RE: RESPONSE: Follow-up on FOI request - Broadspectrum - re. FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)

I have raised the matter with Broadspectrum and expect to hear from them in the next day or so.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)
DSD Coordination and Scrutiny Section
Services Management Branch | Detention Services Division
Support Group
Australian Border Force
p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)
e: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Wednesday, 20 July 2016 11:26 AM
To: s. 22(1)(a)(ii)
Cc: DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) FOI
Subject: RE: Follow-up on FOI request - Broadspectrum - re. FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for that. Given the thoroughness with which BRS reviews documents before they provide them to DIBP s. 47E(d)
Can you please ask them to provide the documents to DIBP ASAP and to provide their

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

comments at a later date. Please assure them that we would not be releasing anything without further consultation. We also need to get an idea of how many documents are in the scope of this request so their prompt provision is essential.

Happy to discuss. Please let me know if I need to escalate.

Thanks

s. 22(1)(a)

(a)(ii)
 Director Freedom of Information
 Information Management Branch / Corporate Services Division
 Corporate Group
 Department of Immigration and Border Protection
 T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Wednesday, 20 July 2016 9:12 AM
 To: FOI
 Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
 Subject: RE: Follow-up on FOI request - Broadspectrum - re. - FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)

BRS have confirmed with me that there are documents to be submitted for this request. It is currently with their legal team reviewing the documents.

Regards

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
 Sent: Friday, 15 July 2016 5:34 PM
 To: s. 22(1)(a)(ii)
 Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
 Subject: Follow-up on FOI request - Broadspectrum - re. - FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

I acknowledge the document provided by s. 22(1)(a)(ii) on 22 June. Are you able to please advise whether Broadspectrum has any other documents relevant to this request? Below indicates this may be the case. A reminder of what is being sought is provided in s. 22(1)(a)(ii) s. 22(1)(a)(ii) email of 10 June 2016, below.

Thanks

s. 22(1)(a)(ii)
 Assistant Director, Freedom of Information Section
 Information Management Branch
 Department of Immigration and Border Protection
 F: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Wednesday, 22 June 2016 2:40 PM
 To: FOI
 Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents - s. 22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290
 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii) (Many thanks, s. 22(1)(a)(ii))

In relation to the above FOI request, the department has located the attached document.

As the report only relates to the staff conduct of one staff member, we will let the request for documents currently with Broadspectrum continue.

It is likely to get back to me in the next couple of days when I shall be in further touch.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Governance and Coordination Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
 Sent: Friday, 10 June 2016 2:57 PM
 To: s. 22(1)(a)(ii)
 Cc: Detention Services; s. 22(1)(a)(ii) FOI; s. 22(1)(a)(ii) s. 22(1)(a)(ii)
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents - s. 22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290
 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

We have sought further advice and it would appear that the documents are likely to be required to be provided to the department under the subcontract that Wilson has with Broadspectrum. Can you please organise to have them provided to us. I have repeated the request immediately below and highlighted the pertinent part:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Please advise them that nothing will be released without further consultation with them but we need to get the documents to assess. Please note also that it would only apply to documents in the possession of Wilson Security at the time the request was received, that is, 14 July 2016.

Regards

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

s. 22(1)(a)

(a)(ii)
 Director Freedom of Information
 Information Management Branch / Corporate Services Division
 Corporate Group
 Department of Immigration and Border Protection
 T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Tuesday, 31 May 2016 11:35 AM
 To: s. 22(1)(a)(ii)
 Cc: Detention Services; s. 22(1)(a)(ii) FOI
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290
 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the advice. We'll be in touch if we need anything more.

Regards

s. 22(1)(a)

(a)(ii)
 Director Freedom of Information
 Information Management Branch / Corporate Services Division
 Corporate Group
 Department of Immigration and Border Protection
 T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Tuesday, 31 May 2016 11:10 AM
 To: s. 22(1)(a)(ii)
 Cc: Detention Services; s. 22(1)(a)(ii)
 Subject: FW: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290
 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Response to your further question follows.

It would appear then that no further action is required by us in regard to this request.

Please confirm.

Kind regards.

Released by DIBP under the
 Freedom of Information Act 1982

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:33 PM

To: s. 22(1)(a)(ii) RPC Service Delivery

Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents - - FA 16/05/01387; ADF2016/21290

[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

DIBP does not hold a contract with Wilson Security. They have a subcontract with Broadspectrum. It is not a contractual requirement for Broadspectrum to provide any copies of any of the documents stated in the FOI request.

Regards

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:08 PM

To: RPC Service Delivery

Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii) ; Detention Services; s. 22(1)(a)(ii)

Subject: For your early action, pls : New FOI Request - Seeking documents - - FA 16/05/01387; ADF2016/21290

[DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thank you for your reply about the above FOI request a little earlier.

Please see s. 22(1)(a)(ii) reply below and please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK "mailto:s. 22(1)(a)(ii)"

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Monday, 30 May 2016 4:03 PM
 To: s. 22(1)(a)(ii)
 Cc: s. 22(1)(a)(ii)
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290
 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the response. Can you also please confirm that there is nothing in the contract that requires Wilson to provide us with a copy of these documents.

Thanks

s. 22(1)(a)(ii)

(a)(ii)
 Director Freedom of Information
 Information Management Branch / Corporate Services Division
 Corporate Group
 Department of Immigration and Border Protection
 T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)" [REDACTED]

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Monday, 30 May 2016 4:00 PM
 To: s. 22(1)(a)(ii)
 Cc: s. 22(1)(a)(ii)
 Subject: FW: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290
 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I am informed that we do not possess a copy of any such consultant's report.

Can you please confirm that no further action is required by us in regard to this request?

Many thanks,

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Monday, 30 May 2016 3:57 PM
 To: s. 22(1)(a)(ii)
 Cc: Detention Services
 Subject: FW: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290
 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Would you like to convey below email to s. 22(1)(a)(ii) and get her endorsement that nothing more needs to be done re this request, please.

Many thanks.

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) WS: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:53 PM
To: s. 22(1)(a)(ii) RPC Service Delivery
Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290
[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I can confirm that we do not hold any of the documents requested in this FOI request in the Service Delivery Team.

Regards

s. 22(1)(a)(ii)

Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch | Detention Services Division

Support Group

Australian Border Force

Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK "mailto:s. 22(1)(a)(ii)"

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:40 PM
To: RPC Service Delivery
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)
Subject: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290
[DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a) / s. 22(1)(a)(ii)

s. 22(1)(a)(ii) just phoned s. 22(1)(a)(ii) about the above request.

She would like to know urgently if the report/submission referred to is held in the department, please.

Please advise.

Many thanks.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section
 Services Management Branch | Detention Services Division
 Support Group
 Australian Border Force

P: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of DSD Coordination
 Sent: Monday, 30 May 2016 3:14 PM
 To: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
 Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii)
 Subject: FOR ACTION: New FOI Request - Seeking documents - s. 22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Good afternoon s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Can you please assist s. 22(1)(a)(ii) with this request noting:

- If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

- If there are any problems in meeting the action due date please advise s. 22(1)(a)(ii) as soon as possible.

Regards

s. 22(1)(a)

s. 22(1)(a)(ii)

Assistant Director - Governance and Coordination
 Services Management Branch | Detention Services Division
 Australian Border Force
 P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
 Sent: Monday, 30 May 2016 3:09 PM
 To: s. 22(1)(a)(ii)
 Cc: s. 22(1)(a)(ii)
 Subject: RE: New FOI Request - Seeking documents - s. 22(1)(a)(ii) - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello s. 22(1)(a)(ii)

Further to s. 22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from s. 22(1)(a)(ii) of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

s. 22(1)(a)(ii)

 Released by DIBP under the
 Freedom of Information Act 1982

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.
- If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.
- If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.
- Please also provide a completed schedule of documents. A template for that purpose is attached for your use.
- Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.
- If there are any problems in meeting the action due date please advise me as soon as possible.
- When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

- If your area does not have any documents within the scope of this request, please let us know as soon as possible.
- If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

Kind regards

s. 22(1)(a)(ii)

(i)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Services Division

Corporate Group
Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)
E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: FOI
Sent: Wednesday, 18 May 2016 2:21 PM
To: s. 22(1)(a)(ii)
Subject: FW: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387 ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s. 22(1)(a)(ii)

Please see email below sent to s. 22(1)(a)(ii) I have received an out of office for him that indicates any inquiries should be referred to you in his absence.

Thanks very much.

With kind regards

s. 22(1)(a)(ii)
FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Please consider the environment before printing this email

From: FOI
Sent: Wednesday, 18 May 2016 1:24 PM
To: s. 22(1)(a)(ii)
Cc: Detention Services
Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387 ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.'

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>.'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable the Department to comply with its obligations under the FOI Act.

Action required:

- Please obtain copies of the documents that fall within the scope of this request.
- If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.
- If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: [HYPERLINK "mailto:FOI@border.gov.au"](mailto:FOI@border.gov.au)FOI@border.gov.au by COB 25 May 2016.
- Please also provide a completed schedule of documents. A template for that purpose is attached for your use.
- Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.
- If there are any problems in meeting the action due date please advise me as soon as possible.
- When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

- If your area does not have any documents within the scope of this request, please let us know as soon as possible.
- If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)
FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| [HYPERLINK "mailto:foi@border.gov.au"](mailto:foi@border.gov.au)foi@border.gov.au

Please consider the environment before printing this email

Released by DLE under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRGH3B9AC]
To: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)]
Cc: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)]
Sent: 24/7/2016 at 12:16 PM
Received: 24/7/2016 at 12:16 PM
Subject: RE: Re your email [DLM=For-Official-Use-Only]

For-Official-Use-Only

Yes, will do. s. 47E(d)

s. 22(1)(a)(ii)

Director, DSD Coordination and Scrutiny

Services Management Branch|Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Sunday, 24 July 2016 10:02 AM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
Subject: Re your email [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for your response about the docs for the [REDACTED] request. When you speak to s.47F(1) from BRS can you please emphasize the need to get the documents to the Department quickly for any FOI requests. s. 47E(d)

[REDACTED] assess the documents from a legal perspective and provide a detailed letter with each set of documents. all circumstances s. 47E(d). If it is necessary to consult with them we will do so formally; we may sometimes do this informally. For requests from clients this is often unlikely; for the types of requests we process in Canberra it will only be necessary if the documents contain something related to their business affairs; again we may sometimes do this informally. The important thing is to get the documents to us quickly so we can assess and decide the next steps.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Given the delays we have been experiencing, please remind s.47F(1) of the provision in the FOI Act for the Department to refuse access under s24A(2) on the grounds that 'documents cannot be found, do not exist or have not been received':

Document not received as required by contract

(2) An agency may refuse a request for access to a document if:

(a) in order to comply with section 6C, the agency has taken contractual measures to ensure that it receives the document; and

(b) the agency has not received the document; and

(c) the agency has taken all reasonable steps to receive the document in accordance with those contractual measures.

s. 47E(d)

Happy to discuss. Please note I will be in Parramatta on Monday and Tuesday so either call my mobile or send an email and I'll call you.

Regards

s. 22(1)(a)(ii)

(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRLRCL461]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Cc: DSD Coordination [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], FOI [SMTP:foi@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], RPC Service Delivery [SMTP:rpc.service.delivery@border.gov.au]
Sent: 29/7/2016 at 2:12 PM
Received: 29/7/2016 at 2:12 PM
Subject: RE: Follow-up on FOI request - Broadspectrum – re. [REDACTED] FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s. 22(1)(a)(ii)

I note that, despite BRS' assurances, we have not yet received the remaining documents within the scope of this request. The decision was due on 27 July 2016 although we have sought an additional extension of time from the OAIC to process. If this is not granted the request will be overdue.

From the correspondence below, and from the document we have already received, we are well aware that there are additional documents within the scope of this request. We will proceed to process the one that we have and will consult formally with the relevant third parties. As indicated below, however, we are likely to make a decision to refuse access to the remaining documents under s24A (2) of the FOI Act on the grounds that 'documents cannot be found, do not exist or have not been received':

Document not received as required by contract

(2) An agency may refuse a request for access to a document if:

(a) in order to comply with section 6C, the agency has taken contractual measures to ensure that it receives the document; and

(b) the agency has not received the document; and

(c) the agency has taken all reasonable steps to receive the document in accordance with those contractual measures.

Please advise BRS of this fact.

Thanks

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Tuesday, 26 July 2016 9:27 AM

To: s. 22(1)(a)(ii)

Cc: DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) FOI;

s. 22(1)(a)(ii); RPC Service Delivery

Subject: Follow-up on FOI request - Broadspectrum - re. - FA
16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Broadspectrum (BRS) has advised that it will endeavour to provide its response to the above FOI request by cob tomorrow.

As the Contract Administrator and s. 22(1)(a)(ii) have also been copied into these emails, I feel confident that BRS will deliver.

I'll continue to keep an eye on the matter.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 20 July 2016 2:47 PM

To: s. 22(1)(a)(ii)

Cc: DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) FOI;
s. 22(1)(a)(ii); RPC Service Delivery

Subject: RE: RESPONSE: Follow-up on FOI request - Broadspectrum -
- FA 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

I have raised the matter with Broadspectrum and expect to hear from them in the next day or so.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
 Sent: Wednesday, 20 July 2016 11:26 AM
 To: s. 22(1)(a)(ii)
 Cc: DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) FOI
 Subject: RE: Follow-up on FOI request - Broadspectrum - [REDACTED] - FA
 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for that. Given the thoroughness with which BRS reviews documents before they provide them to DIBP s. 47E(d) [REDACTED]
 [REDACTED] Can you please ask them to provide the documents to DIBP ASAP and to provide their comments at a later date. Please assure them that we would not be releasing anything without further consultation. We also need to get an idea of how many documents are in the scope of this request so their prompt provision is essential.

Happy to discuss. Please let me know if I need to escalate.

Thanks

s. 22(1)(a)(ii)

[REDACTED] (a)(ii)
 Director Freedom of Information
 Information Management Branch / Corporate Services Division
 Corporate Group
 Department of Immigration and Border Protection
 T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
 Sent: Wednesday, 20 July 2016 9:12 AM
 To: FOI
 Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
 Subject: RE: Follow-up on FOI request - Broadspectrum - [REDACTED] - FA
 16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

For-Official-Use-Only

Hi [REDACTED]

BRS have confirmed with me that there are documents to be submitted for this request. It is currently with their legal team reviewing the documents.

Regards

[REDACTED]

For-Official-Use-Only

From: [REDACTED] On Behalf Of FOI
Sent: Friday, 15 July 2016 5:34 PM
To: [REDACTED]
Cc: [REDACTED] DSD Coordination; [REDACTED] [REDACTED] [REDACTED]
Subject: Follow-up on FOI request - Broadspectrum - [REDACTED] - FA
16/05/01387; ADF2016/21290 [[DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear [REDACTED]

I acknowledge the document provided by [REDACTED] on 22 June. Are you able to please advise whether Broadspectrum has any other documents relevant to this request? [REDACTED] advice below indicates this may be the case. A reminder of what is being sought is provided in [REDACTED] email of 10 June 2016, below.

Thanks

[REDACTED]
Assistant Director, Freedom of Information Section
Information Management Branch

Department of Immigration and Border Protection

P: [REDACTED] | M: [REDACTED]

E: HYPERLINK "mailto:[REDACTED]"

For-Official-Use-Only

[REDACTED]

Released by DILP under the
Freedom of Information Act 1982

From: s. 33(a)(i) [REDACTED]
 Sent: Wednesday, 22 June 2016 2:40 PM
 To: FOI
 Cc: s. 22(1)(a)(ii) [REDACTED] DSD Coordination; s. 22(1)(a)(ii) [REDACTED] s. 22(1)(a)(ii) [REDACTED] s. 22(1)(a)(ii) [REDACTED]
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii) [REDACTED] (Many thanks, s. 22(1)(a)(ii) [REDACTED])

In relation to the above FOI request, the department has located the attached document.

As the report only relates to the staff conduct of one staff member, we will let the request for documents currently with Broadspectrum continue.

It is likely to get back to me in the next couple of days when I shall be in further touch.

Kind regards.

s. 22(1)(a)(ii) [REDACTED]

s. 22(1)(a)(ii) [REDACTED]

Governance and Coordination Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) [REDACTED] ws: s. 22(1)(a)(ii) [REDACTED]

e: HYPERLINK

"mailto:s. 22(1)(a)(ii) [REDACTED]"

For-Official-Use-Only

From: s. 22(1)(a)(ii) [REDACTED] On Behalf Of FOI
 Sent: Friday, 10 June 2016 2:57 PM
 To: s. 22(1)(a)(ii) [REDACTED]
 Cc: Detention Services; s. 22(1)(a)(ii) [REDACTED] FOI; s. 22(1)(a)(ii) [REDACTED] s. 22(1)(a)(ii) [REDACTED]
 Subject: RE: For your early action, pls : New FOI Request - Seeking documents

s. 22(1)(a)(ii) [REDACTED]

Released by DIBP under the
Freedom of Information Act 1982

[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear [REDACTED] s. 22(1)(a)(ii)

We have sought further advice and it would appear that the documents are likely to be required to be provided to the department under the subcontract that Wilson has with Broadspectrum. Can you please organise to have them provided to us. I have repeated the request immediately below and highlighted the pertinent part:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Please advise them that nothing will be released without further consultation with them but we need to get the documents ASAP to assess. Please note also that it would only apply to documents in the possession of Wilson Security at the time the request was received, that is, 14 July 2016.

Regards

[REDACTED] s. 22(1)(a)(ii)

[REDACTED] (a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: [REDACTED] s. 22(1)(a)(ii) I M: [REDACTED] s. 22(1)(a)(ii)

E: HYPERLINK "mailto:[REDACTED] s. 22(1)(a)(ii)"

For-Official-Use-Only

[REDACTED] s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

From: s. 22(1)(a)(ii)
Sent: Tuesday, 31 May 2016 11:35 AM
To: s. 22(1)(a)(ii)
Cc: Detention Services; s. 22(1)(a)(ii) FOI
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thanks for the advice. We'll be in touch if we need anything more.

Regards

s. 22(1)(a)(ii)

(a)(ii)
Director Freedom of Information
Information Management Branch / Corporate Services Division
Corporate Group
Department of Immigration and Border Protection
T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Tuesday, 31 May 2016 11:10 AM
To: s. 22(1)(a)(ii)
Cc: Detention Services; s. 22(1)(a)(ii)
Subject: FW: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Response to your further question follows.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

It would appear then that no further action is required by us in regard to this request.

Please confirm.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:33 PM

To: s. 22(1)(a)(ii) RPC Service Delivery

Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)

Subject: RE: For your early action, pls : New FOI Request - Seeking documents
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

DIBP does not hold a contract with Wilson Security. They have a subcontract with BROADSPECTRUM. It is not a contractual requirement for BROADSPECTRUM to provide any copies of any of the documents stated in the FOI request.

Regards

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:08 PM
To: RPC Service Delivery
Cc: s. 22(1)(a)(ii); s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)
Subject: For your early action, pls : New FOI Request - Seeking documents -
- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Thank you for your reply about the above FOI request a little earlier.

Please see s. 22(1)(a)(ii) reply below and please advise.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section
Services Management Branch | Detention Services Division
Support Group
Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK
"mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 4:03 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi [REDACTED]

Thanks for the response. Can you also please confirm that there is nothing in the contract that requires Wilson to provide us with a copy of these documents.

Thanks

[REDACTED]

[REDACTED](a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: [REDACTED] s. 22(1)(a)(ii) I M: [REDACTED] s. 22(1)(a)(ii)

E: HYPERLINK "mailto:[REDACTED] s. 22(1)(a)(ii)"

For-Official-Use-Only

From: [REDACTED] s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 4:00 PM

To: [REDACTED] s. 22(1)(a)(ii)

Cc: [REDACTED] s. 22(1)(a)(ii)

Subject: FW: For your early action, pls : New FOI Request - Seeking documents -

[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi [REDACTED] s. 22(1)(a)(ii)

I am informed that we do not possess a copy of any such consultant's report.

Can you please confirm that no further action is required by us in regard to this request?

Many thanks,

[REDACTED] s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:57 PM
To: s. 22(1)(a)(ii)
Cc: Detention Services
Subject: FW: For your early action, pls : New FOI Request - Seeking documents -
[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Would you like to convey below email to s. 22(1)(a)(ii) and get her endorsement that nothing more needs to be done re this FOI request, please.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 30 May 2016 3:53 PM
To: s. 22(1)(a)(ii) RPC Service Delivery
Cc: s. 22(1)(a)(ii) Detention Services; s. 22(1)(a)(ii)
Subject: RE: For your early action, pls : New FOI Request - Seeking documents -
[REDACTED] - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Hi s. 22(1)(a)(ii)

I can confirm that we do not hold any of the documents requested in this FOI request in the Service Delivery Team.

Regards

s. 22(1)(a)(ii)

Performance & Scrutiny Officer

Performance & Scrutiny Offshore Contracts

Service Management Branch| Detention Services Division

Support Group

Australian Border Force

Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK

"mailto:s. 22(1)(a)(ii)

Customs House, 5 Constitution Avenue Canberra City 2601

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 30 May 2016 3:40 PM

To: RPC Service Delivery

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii); Detention Services; s. 22(1)(a)(ii)

Subject: For your early action, pls : New FOI Request - Seeking documents

- FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s. 22(1)(a)(ii) / s. 22(1)(a)(ii)

s. 22(1)(a)(ii) just phoned s. 22(1)(a)(ii) about the above request.

She would like to know urgently if the report/submission referred to is held in the department, please.

Please advise.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of DSD Coordination

Sent: Monday, 30 May 2016 3:14 PM

To: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii)

Subject: FOR ACTION: New FOI Request - Seeking documents - FA
16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Good afternoon s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Can you please assist s. 22(1)(a)(ii) with this request noting:

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· If there are any problems in meeting the action due date please advise s. 22(1)(a)(ii) as soon as possible.

Regards

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Assistant Director - Governance and Coordination

Services Management Branch | Detention Services Division

Australian Border Force

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Monday, 30 May 2016 3:09 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: RE: New FOI Request - Seeking documents - - FA 16/05/01387; ADF2016/21290 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello s. 22(1)(a)(ii)

Further to s. 22(1)(a)(ii) email below, could you please advise the FOI Section if your Division hold's documents within the scope of the FOI request by COB Wednesday, 1 June 2016?

Having an indication of the nature and volume of documents in scope, would greatly assist us in progressing this FOI request. If you are not able to respond by 1 June 2016, can you please advise when you expect to be able to provide a response?

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>.'

I have attached a checklist and schedule to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

· If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

Kind regards

s. 22(1)(a)(ii)

i)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Services Division

Corporate Group
Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 2:21 PM

To: s. 22(1)(a)(ii)

Subject: FW: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

Good afternoon s. 22(1)(a)(ii)

Please see email below sent to s. 22(1)(a)(ii) I have received an out of office [REDACTED] that indicates any inquiries should be referred to you in his absence.

Thanks very much.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

From: FOI

Sent: Wednesday, 18 May 2016 1:24 PM

To: s. 22(1)(a)(ii)

Cc: Detention Services

Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

Released by DLE under the
Freedom of Information Act 1982

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

· If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

Released by DIEL under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Cc: FOI [SMTP:foi@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)] DSD Coordination [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)] s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)] GLYNN John [SMTP:JOHN.J.GLYNN@BORDER.GOV.AU], OPC Service Delivery [SMTP:opc.service.delivery@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 2/8/2016 at 10:57 AM
Received: 2/8/2016 at 10:57 AM
Subject: FW: FOR ACTION: New FOI Request – Seeking documents – [REDACTED]
 FA 16/05/01387 ADF2016/21290 [DLM=For-Official-Use-Only]

Attachments: s. 22(1)(a)(ii)

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

The documents you have been patiently waiting for in relation to the above request are attached. (Your email of 29 July 2016 refers.)

In its accompanying letter to the Department (also attached), BRS refers to two documents already held by the Department.

As these documents appear to be different from the document already provided to you in relation to this FOI request, we will endeavour to locate them and forward them to you separately.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 47F(1) [mailto:s. 47F(1)]
 Sent: Monday, 1 August 2016 5:55 PM
 To: s. 22(1)(a)(ii) RPC Service Delivery
 Cc: Immiquery; s.47F(1); s.47F(1)
 Subject: FW: FOR ACTION: New FOI Request - Seeking documents - - FA
 16/05/01387 ADF2016/21290 [DLM=For-Official-Use-Only]
 Importance: High

Hi s. 22(1)(a)(ii)

Please find attached our letter and accompanying documents in response to the below FOI request by

Kind regards

s.47F(1)

Legal Counsel | Broadspectrum Legal Team

D +s.47F(1) | M +s.47F(1)

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
 Sent: Wednesday, May 18, 2016 5:16 PM
 To: Immiquery
 Cc: Detention Services; s. 22(1)(a)(ii) RPC Service Delivery; s. 22(1)(a)(ii)
 Subject: FW: FOR ACTION: New FOI Request - Seeking documents - - FA
 16/05/01387 ADF2016/21290 [DLM=For-Official-Use-Only]
 Importance: High

For-Official-Use-Only

Hi immiquery

s. 22(1)(a)(ii)

Please see request below from our FOI team in Canberra.

I look forward to receiving these documents, and any comments you may have on them, as soon as practicable.

Many thanks.

s. 22(1)

s. 22(1)(a)(ii)

Special Projects and FOI Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 1:24 PM

To: s. 22(1)(a)(ii)

Cc: Detention Services

Subject: New FOI Request - Seeking documents - [REDACTED] - FA 16/05/01387
ADF2016/21290 [DLM=For-Official-Use-Only]

For Action by 25 May 2016

Good afternoon

Request for access to documents - Freedom of Information Act 1982 (FOI Act)

On 14 May 2015, the Department received an FOI request from [REDACTED] of The Guardian Australia. The applicant is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

Your division has been identified as responsible for documents subject to this request. Please use the attached checklist to assist you in your response to the FOI Section.

Please note that if the document is not currently in the possession of the Department, but is in the possession of a contracted service provider, or a subcontractor for the Commonwealth contract, and the document relates to the performance of the Commonwealth contract, the Department must have contractual arrangements to ensure it receives the document. As such, it is highly likely that contractual arrangements are in place for the company commissioned by Wilson Security to provide the documents requested to the Department for the purposes of the FOI Act. The relevant documents should therefore be requested from that company to enable to the Department to comply with its obligations under the FOI Act.

Action required:

· Please obtain copies of the documents that fall within the scope of this request.

· If the number of documents falling within the scope of the request is particularly large (i.e. over 200 pages), please let us know the approximate size of the request so that we can narrow/negotiate the size of the request with the applicant. Please refer to the check list to assist you in your response to this part.

· If the request is not large, forward a copy of the un-redacted documents that fall within the scope of this request, to: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au by COB 25 May 2016.

· Please also provide a completed schedule of documents. A template for that purpose is attached for your use.

· Please complete the relevant parts of the checklist and provide a scanned copy to the FOI Section.

· If there are any problems in meeting the action due date please advise me as soon as possible.

· When providing documents to the FOI Section please advise of any high level concerns or sensitivities with respect to the content of the documents and their proposed release under the FOI Act. The advice will be taken into consideration during the charge assessment; and any further decision making process. Please refer to the check list to assist you in your response to this part.

No documents identified:

· If your area does not have any documents within the scope of this request, please let us know as soon as possible.

Released by DILP under the
Freedom of Information Act 1982

. If you are aware of other business areas that may have documents within the scope of this request, please let us know as soon as possible.

Thank you for your assistance with processing this request.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection
E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

Important Notice: The content of this email is intended only for use by the individual or entity to whom it is addressed. If you have received this email by mistake, please advise the sender and delete the message and attachments immediately. This email, including attachments, may contain confidential, sensitive, legally privileged and/or copyright information.

Any review, retransmission, dissemination or other use of this information by persons or entities other than the intended recipient is prohibited. DIBP respects your privacy and has obligations under the Privacy Act 1988.

Unsolicited commercial emails MUST NOT be sent to the originator of this email.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Level 10, 111 Pacific Highway
North Sydney
Locked Bag 917
North Sydney NSW 2059
Telephone: +61 2 9464 1000
Facsimile: +61 2 9464 1111

1 August 2016

Service Delivery – Garrison Support & Welfare
Contract and Services Management Branch
Infrastructure and Services Division
Department of Immigration and Border Protection

Attention: **s. 22(1)(a)(ii)**

Dear **s. 22(1)(a)(ii)**

RE: Freedom of Information Request – [REDACTED] FA 16/05/01387

We refer to the email received from the Department of Immigration and Border Protection (the 'Department') dated 18 May 2016 in respect of an application by [REDACTED] under the Freedom of Information Act 1982 (FOI Act) requesting documents described as:

"All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

'We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre.'

We **enclose** documents we hold falling within the above scope of request, as well as documents that have been provided to us by our subcontractor Wilson Security.

As a reminder to the Department we note that the below documents have already been provided to the Department on previous occasions as follows:

- i. the document titled 'FINAL INVESTIGATION REPORT No 945766 19112015C - Feb 2016 Media Leak...pdf' – this was provided to the Department on 1 March 2016; and
- ii. the document titled **s. 47G(1)(a)** [REDACTED] – this was provided to the Department first on 15 September 2015, and again on 2 June 2016 pursuant to FOI request No **s. 22(1)(a)(ii)** [REDACTED].

As to all three documents provided to the Department, we understand the decision as to what is to be disclosed to the applicant is a matter for the Commonwealth to decide.

However for the purpose of the Department's further consideration as to the disclosure of these documents to the applicant, we comment as follows:

A. Documents affecting enforcement of law and protection of public safety

We consider that all of the documents enclosed should be exempt from disclosure to the applicant as they concern the enforcement of law and protection of public safety.

The documents, as well as the information contained in them, relate to the way in which lawful monitoring or investigation of a breach, or possible breach of the law is conducted. Disclosure of these documents and/or their contents could reasonably be expected to prejudice the proper conduct of this process or investigation, as well as future investigations of this type. The maintenance or enforcement of lawful procedures which are in place for the protection of the safety of persons, are therefore reasonably likely to be compromised or their future effectiveness diminished, in the event that these documents or their contents are disclosed publicly or to the applicant.

In particular, as the documents demonstrate aspects of the lawful processes, methods or procedures of preventing, detecting, investigating or dealing with matters arising out of breaches or possible breaches of the law, disclosure of such documents would in our view, consequently increase the likelihood of danger to the life or physical safety of persons (particularly those at the Regional Processing Centres and countries to which we, our contractors and the Department provide various services).

The details or subject-matter set out in the documents provided are in addition highly confidential and sensitive as they relate to the matter which was the subject of an investigation and court process involving our s. 47G(1)(a), s. 47F(1)

Disclosure of such documents could reasonably be expected to prejudice the conduct of future investigations relating to such alleged breaches or any other allegations of this type that may arise. On this basis, as well as on the basis of the reasons set out in the following two paragraphs, all of these documents should, in our view, be considered exempt from disclosure to the applicant.

B. Documents disclosing trade secrets or commercially valuable information

Broadspectrum considers and asserts that all of the documents are commercially confidential to our business, and should also on this basis not be disclosed to the applicant. In this regard, the Department has also agreed to maintain the confidentiality of any reports provided by Broadspectrum to the Department as agreed pursuant to clause 5(b) of Schedule 5 of our *Contract with the Department for the Provision of Garrison and Welfare Services at RPCs*.

The documents are highly sensitive and should any part of the documents be disclosed generally and available to any member of the public and/or our competitors, it would be disadvantageous to our business interests and would enable others to make use of or exploit these documents to our detriment. We therefore request that these documents not be disclosed in whole or in part on this basis, in addition to the other reasons for non-disclosure set out in this letter.

C. Personal Information

If, despite our objections, the Commonwealth should determine that the documents should be released to the applicant, in part or in whole, then we request that, at the very least, all references to persons and identifiers that enable individuals (in particular to any transferee, our staff or that of other contractors, as well as other persons) to be identified (such as names, signatures, ID numbers, email addresses or other contact details and other personal identifiers that would enable an individual to be identified in any way) not be disclosed or that such references be redacted from any documents that are to be provided to the applicant. Such information is protected from disclosure under the FOI legislation and the Commonwealth Privacy Act and we consider that there is no greater public interest in disclosing this information compared to protecting its confidentiality and the interests of the individuals concerned.

We also seek that such information not be disclosed publicly (within or outside Australia) as we are concerned that by so doing persons (including transferees, our staff, the staff of Wilson Security, and others) may be placed in danger of injury or threat to life, particularly if their identity or location is made known.

If the Commonwealth proposes to disclose any of the documents (or parts thereof) that we have suggested be redacted or not disclosed, we would be grateful if you would let us know prior to any such disclosure.

Should you also wish to discuss anything in this letter or require any further submissions from us as to why we consider that the documents should not be disclosed either in whole or a redacted form, please call or email me.

Yours faithfully

s. 47F(1)

s. 47F(1)

Legal Counsel | Broadspectrum Legal Team

T s. 47F(1)

Ms. 47F(1)

Es. 47F(1)

E-mail Message

From: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)
To: ROSSITER [SMTP s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
 [SMTP:foi@border.gov.au], DSD Coordination
 [SMTP:dsd.coordination@border.gov.au], FIELD s. 22(1)(a)(ii)
 [SMTP s. 22(1)(a)(ii)
Sent: 2/8/2016 at 11:27 AM
Received: 2/8/2016 at 11:28 AM
Subject: FA 16/05/01387 - [REDACTED] [DLM=For-Official-Use-Only]

Attachments: s. 22(1)(a)(ii)

For-Official-Use-Only

Hi again s. 22(1)(a)(ii)

The second document referenced in the BRS letter forwarded to you a short time ago is contained in the zip folder attached.

While not immediately apparent initially, it is the same document that was forwarded to FOI Section on 22 June 2016.

I'll now try to locate the first document referred to.

Kind regards.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

For-Official-Use-Only

From: s.47F(1)
Sent: Tuesday, September 15, 2015 1:10 PM
To: HYPERLINK "mailto:s.22(1)(a)(ii)"
Cc: s.22(1)(a)(ii); s.22(a)(1)(ii) s.22(1)(a)(ii)
Subject: FW: RFI - Detention Assurance DIBP [SEC=UNCLASSIFIED] #1 - Email No 3

s.22(1)(a)(ii),

Follow up emails from Wilson Security

Regards

s.47F(1)

Regards

s.47F(1)

s.47F(1)

EGM Group Audit Services & Risk

Transfield Services | CFO Group

Level 3, 509 St Kilda Road, Melbourne VIC 3004

T s.47F(1) | F +61 3 8823 7760 | M +s.47F(1)

E HYPERLINK
"mailto:s.47F(1)"
HYPERLINK "http://www.transfieldservices.com/"www.transfieldservices.com

Description: Description: Description: C:\Users\elhassanm\Desktop\rebrand image.png

Integrity | Collaboration | Challenge | Ingenuity

s.22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Consider the environment and 'think before you print'

Whistleblower Integrity Hotline: +442079398775 [HYPERLINK](#)
"mailto:tswhistleblower@control-risks.com"tswhistleblower@control-risks.com

Freecall: Australia 1 800 819 877 | New Zealand 0 800 888 147 | North
America 866 993 9608

CR24 Global Security Centre: s.47F(1)

From: s.47F(1)
Sent: Friday, September 11, 2015 4:36 PM
To: s.47F(1) s.47F(1)
Cc: s.47F(1) ; s.47F(1) s. 22(1)(a)(ii)
Subject: RE: RFI - Detention Assurance DIBP [SEC=UNCLASSIFIED] #1

s.47F(1)

The below email was too large with attachments so please find the following
emails to get them through

Regards

s.47F(1)

s.47F(1)
General Manager - Regional Operations

cid:image11f753.JPG@c7dbc29d.4d9131b2

cid:image30d898.JPG@257422a5.4ea0e19f

s. 47G(1)(a)

cid:image30d898.JPG@257422a5.4ea0e19f

T

+s.47F(1)

F

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

s.47F(1)

E

HYPERLINK
"mailto:s.47F(1)

W

HYPERLINK "http://www.wilsonsecurity.com.au/"www.wilsonsecurity.com.au

cid:image30d898.JPG@257422a5.4ea0e19f

cid:image132072.JPG@41b85418.429cec4c

HYPERLINK "http://www.linkedin.com/company/wilson-
security"cid:imagec80fdd.JPG@44aac86d.469230a1

HYPERLINK
"https://twitter.com/WilsonSecurity"cid:image88f3c4.JPG@a0c9be0a.47bfb073

Click to connect with us.

Disclaimer: The contents of this email and its attachments may be confidential and may contain information which may be subject to legal privilege. Any unauthorised use of the contents is expressly prohibited. If you are not the intended recipient you must not use, distribute or copy this email. If you have received this email in error please notify the sender immediately and delete this email. Any views expressed in this email are not necessarily the views of Wilson Parking Australia 1992 Pty Ltd, (trading as Wilson Parking, Wilson Security, Wilson Storage, Wilson Health, Medic One, Frontline Innovations, Global Security), Wilson Security Pty Ltd, Wilson Technology Pty Ltd, Wilson Parking New Zealand Limited, Wilson Parking Singapore Pte Ltd, WPM Sdn Bhd, and Wilson Parking Korea Limited. Before opening or using attachments, check them for viruses and defects. The contents of this email and its attachments may become scrambled, truncated or altered in transmission. Please notify us of any anomalies.

From: s.47F(1)
Sent: Friday, 11 September 2015 4:26 PM
To: s.47F(1) s.47F(1)
Cc: s.47F(1) s.47F(1) ; s. 22(1)(a)(ii)
Subject: RE: RFI - Detention Assurance DIBP [SEC=UNCLASSIFIED]

s.47F(1)

Please find all information requested attached which incorporates the full s.47F(1) in relation to the s.47F(1) matter as we discussed on Wednesday

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Also included is the following information:

1. s. 47E(d) [REDACTED]
2. s. 47E(d) [REDACTED]

s. 47F(1), s. 47G(1)(a) [REDACTED]

In relation to the questions you asked in our conversation, I can confirm below:

s. 47F(1), s. 47G(1)(a) [REDACTED]

s. 47F(1) [REDACTED]

s. 47F(1), s. 47G(1)(a) [REDACTED]

I hope this assists in the overall response s. 47F(1), s. 47G(1)(a) [REDACTED]

Please let me know if I can be of further assistance

Regards

s. 47F(1) [REDACTED]

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii) [REDACTED]

From: s.47F(1) HYPERLINK "mailto:
[mailto:s.47F(1)

Sent: Thursday, 3 September 2015 10:21 AM

To: s.47F(1)

Cc: s.47F(1); s.47F(1); s. 22(1)(a)(ii)

Subject: FW: RFI - Detention Assurance DIBP [SEC=UNCLASSIFIED]

s.47F(1)

Please see below request from the Detention Assurance Branch in Relation to the s. 47F(1) matter. Can you please provide all information requested by the close of business Friday September 11 2015.

Regards

s.47F(1)

s.47F(1)

EGM Group Audit Services & Risk

Transfield Services | CFO Group

Level 3, 509 St Kilda Road, Melbourne VIC 3004

T +s.47F(1) | F s.47F(1) | M s.47F(1)

E HYPERLINK

"mailto:s.47F(1) | W
HYPERLINK "http://www.transfieldservices.com/"www.transfieldservices.com

Description: Description: Description: C:\Users\elhassanm\Desktop\rebrand
image.png

Integrity | Collaboration | Challenge | Ingenuity

Consider the environment and 'think before you print'

Whistleblower Integrity Hotline: +442079398775 HYPERLINK
"mailto:tswhistleblower@control-risks.com"tswhistleblower@control-risks.com

Freecall: Australia 1 800 819 877 | New Zealand 0 800 888 147 | North
America 866 993 9608

s. 22(1)(a)(ii)

CR24 Global Security Centre: +44 207 939 8771

From: s. 22(1)(a)(ii) HYPERLINK "mailto:[mailto:s. 22(1)(a)(ii)]" [mailto:s. 22(1)(a)(ii)]
 Sent: Wednesday, September 02, 2015 7:04 PM
 To: s.47F(1)
 Cc: s. 22(1)(a)(ii)
 Subject: RFI - Detention Assurance DIBP [SEC=UNCLASSIFIED]

UNCLASSIFIED

s.47F(1)

Thank you for taking my call earlier today and appreciate the initial advice. I feel it would be beneficial to meet in person to discuss the scope of the review and the circumstances on how Transfield became aware of the incident. I can also provide a more in depth understanding of the information requirements for the assurance review. I will be in Melbourne on Wednesday 9 September 2015 and available to meet any time before 1pm.

As a starting point, could I please seek your assistance in obtaining the following:

- Copies of all incident reports and supporting officer reports (including photos, CCTV that may have also been collected) relating to the assault and any following action
- Copies of the internal Investigation reports undertaken in January 2015 and March 2015 into this incident
- s. 47G(1)(a) (if final not received, can we have the preliminary report provided on 4 August 2015?)
- Witness statement:
 - a. s. 47F(1)
s. 47F(1)
 - b. Other witness statement s.47F(1)
 - c. Witness statements of the s.47F(1) and
disputed the guard's account in court (SMH article 20/8/2015)

I understand that obtaining this information may take some time. It would assist our review if the requested information could be provided by Wednesday 16 September 2015.

I look forward to meeting you next week.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Please feel to contact me if you have any questions or concerns.

Regards

s. 22(1)(a)(ii)

Director, Detention Assurance

Detention Assurance Branch | Integrity, Security and Assurance Division |
Corporate Group

Department of Immigration and Border Protection

South Building, Level 3, 6 Chan Street, Belconnen ACT 2617

T: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

Email: HYPERLINK

s. 22(1)(a)(ii)

UNCLASSIFIED

Important Notice: The content of this email is intended only for use by the individual or entity to whom it is addressed. If you have received this email by mistake, please advise the sender and delete the message and attachments immediately. This email, including attachments, may contain confidential, sensitive, legally privileged and/or copyright information.

Any review, retransmission, dissemination or other use of this information by persons or entities other than the intended recipient is prohibited. DIBP respects your privacy and has obligations under the Privacy Act 1988.

Unsolicited commercial emails MUST NOT be sent to the originator of this email.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRHVCB61E]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) FOI
 [SMTP:foi@border.gov.au], DSD Coordination
 [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii) RPC Service Delivery
 [SMTP:rpc.service.delivery@border.gov.au], s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii)]
Sent: 2/8/2016 at 12:17 PM
Received: 2/8/2016 at 12:17 PM
Subject: FW: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]
Attachments: s. 22(1)(a)(ii)

UNCLASSIFIED

Hi again s. 22(1)(a)(ii)

(Many thanks, s. 22(1)(a)(ii)

The last of three related emails.

The first document BRS referred to in its letter is attached.

Please have regard to BRS' general concerns about the bulk of documents received pursuant to this FOI request, in relation to these last two documents also.

Kind regards,

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

UNCLASSIFIED

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) On Behalf Of RPC Service Delivery
Sent: Tuesday, 2 August 2016 11:01 AM
To: s. 22(1)(a)(ii)
Cc: RPC Service Delivery
Subject: FW: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

After some digging inside emails, here is the document.

Regards

s. 22(1)(a)(ii)

UNCLASSIFIED

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: FOI [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FOI715]
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 2/8/2016 at 12:19 PM
Received: 2/8/2016 at 12:19 PM
Subject: RE: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

Thanks for chasing up these documents. I've taken carriage of this request as s. 22(1)(a)(ii) is on leave, I'll let you know if I have any further questions.

Regards,

s. 22(1)(a)(ii)
 Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection

(s. 22(1)(a)(ii)) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

From: s. 22(1)(a)(ii)
Sent: Tuesday, 2 August 2016 11:18 AM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) FOI; DSD Coordination; s. 22(1)(a)(ii) RPC Service Delivery;
 s. 22(1)(a)(ii)
Subject: FW: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi again s. 22(1)(a)(ii) (Many thanks, s. 22(1)(a)(ii))

The last of three related emails.

The first document BRS referred to in its letter is attached.

Please have regard to BRS' general concerns about the bulk of documents received pursuant to this FOI request, in relation to these last two documents also.

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii) On Behalf Of RPC Service Delivery

Sent: Tuesday, 2 August 2016 11:01 AM

To: s. 22(1)(a)(ii)

Cc: RPC Service Delivery

Subject: FW: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

After some digging inside emails, here is the document.

Regards

s. 22(1)(a)(ii)

UNCLASSIFIED

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRLRCL461]
To: s. 22(1)(a)(ii)
Cc:
Sent: 2/8/2016 at 3:37 PM
Received: 2/8/2016 at 3:37 PM
Subject: RE: OAIC - [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

FYI, I have spoken to Irene and asked her not to provide [REDACTED] with a copy of our submission.

Thanks

s. 22(1)(a)(ii)

[REDACTED] (a)(ii)
 Director Freedom of Information
 Information Management Branch / Corporate Services Division
 Corporate Group
 Department of Immigration and Border Protection
 T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)
 E: HYPERLINK "mailto:s. 22(1)(a)(ii)" [REDACTED]

UNCLASSIFIED

From: s. 22(1)(a)(ii)
Sent: Monday, 1 August 2016 11:54 AM
To: s. 22(1)(a)(ii)
Subject: OAIC - [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

I intercepted a phone call for [REDACTED] this morning, from Irene Nicolaou at the OAIC regarding the request for an extension for the [REDACTED] request.

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

I'm happy to speak with Irene, but her details are as follows if you'd prefer to speak with her:

· HYPERLINK "mailto:irene.nicolaou@oaic.gov.au"irene.nicolaou@oaic.gov.au

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRLRCL461]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Cc: s. 22(1)(a)(ii) [FOI]
 [SMTP:foi@border.gov.au], DSD Coordination
 [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii)] RPC Service Delivery
 [SMTP:rpc.service.delivery@border.gov.au], s. 22(1)(a)(ii)
 [SMTP:s. 22(1)(a)(ii)] [IMMI.gov.au]
Sent: 2/8/2016 at 5:45 PM
Received: 2/8/2016 at 5:45 PM
Subject: RE: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear s. 22(1)(a)(ii)

Thankyou for following up. We will be in touch once we've had time to assess the documents.

Regards

s. 22(1)(a)(ii)

(a)(ii)

Director Freedom of Information

Information Management Branch / Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

T: s. 22(1)(a)(ii) I M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

UNCLASSIFIED

From: s. 22(1)(a)(ii)
Sent: Tuesday, 2 August 2016 11:18 AM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) [FOI]; DSD Coordination; s. 22(1)(a)(ii) [RPC Service Delivery]; s. 22(1)(a)(ii)
Subject: FW: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]

UNCLASSIFIED

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

Hi again s. 22(1)(a)(ii)

(Many thanks, s. 22(1)(a)(ii))

The last of three related emails.

The first document BRS referred to in its letter is attached.

Please have regard to BRS' general concerns about the bulk of documents received pursuant to this FOI request, in relation to these last two documents also.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii) On Behalf Of RPC Service Delivery
Sent: Tuesday, 2 August 2016 11:01 AM
To: s. 22(1)(a)(ii)
Cc: RPC Service Delivery
Subject: FW: 2015/10-09 Media Leaks Investigation [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

After some digging inside emails, here is the document.

Regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

UNCLASSIFIED

Released by DILP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: FOI [EX:/o=IMMI/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=FOI715]
To: s. 22(1)(a)(ii)
Cc:
Sent: 3/8/2016 at 5:59 PM
Received: 3/8/2016 at 5:59 PM
Subject: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I'm not sure if you're aware of this FOI request yet, but I'm coordinating a decision for the following from [REDACTED] at the Guardian:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

We've been provided the files from Wilson (by way of BRS), and it's time for a decision. Would you be willing to take on the DM role for this one? If you're not able, then it's no problem, but I'd appreciate if you'd be able to nominate someone appropriate who might be well-positioned to take it on.

Thanks in advance for your help!

Regards,

s. 22(1)(a)(ii)

Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection

(s. 22(1)(a)(ii)) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

E-mail Message

From: Irene Nicolaou [SMTP:irene.nicolaou@oaic.gov.au]
To: s. 22(1)(a)(ii) [FOI
 [SMTP:foi@border.gov.au]]
Cc:
Sent: 4/8/2016 at 4:34 PM
Received: 4/8/2016 at 4:34 PM
Subject: RQ16/02607 Extension of time request under s 15AB [SEC=UNCLASSIFIED]

Attachments: image001.png

Our reference: RQ16/02607

s. 22(1)(a)(ii)

Department of Immigration and Border Protection

FOI & PRIVACY Section

PO BOX 25

BELCONNEN, ACT 2616

Sent by email to: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au and
 HYPERLINK "mailto:s. 22(1)(a)(ii)"

Dear s.22(1)(a)(ii)

Extension of time request under s 15AB

Thank you for your correspondence of 22 July 2016, in which you requested an extension of time for the Department of Immigration and Border Protection (Department) to process the request for documents made by [REDACTED] of the Guardian Australia.

Chronology of the FOI request

[REDACTED] request was made on 14 May 2016, under the Freedom of Information Act 1982 (Cth) (the FOI Act). The decision on the request was due to be provided on 13 June 2016.

On 10 June 2016, the Department requested from the Office of the Australian Information Commissioner (OAIC) an extension under s 15AB to process the request for information on the grounds that the Department were still in the process of acquiring the documents. The Department advised that the extension sought would enable the Department to 'assess the documents and determine what further consultation is required'. The Department sought an extension of 14 days. On 15 June 2016, the OAIC granted an extension to the processing period by 14 days to 27 June 2016, under s 15AB of the FOI Act.

On 27 June 2016, the Department notified [REDACTED] that it had extended the decision period, by a further 30 days, to allow for consultation in accordance with s 15(6) of the FOI Act. Accordingly, the Department was required to make a decision on this request by 27 July 2016.

On 22 July 2016, the Department sought a further extension to 27 August 2016

s. 22(1)(a)(ii)

Released by DfE, under the
 Freedom of Information Act 1982

under s 15AB on the basis that the current processing period is insufficient to deal adequately with [REDACTED] request, because it is complex.

Decision

As a delegate of the Information Commissioner, I am authorised to make decisions on requests for extensions of time under s 15AB of the FOI Act.

I have decided to refuse the Department's request for an extension of time under s 15AB of the FOI Act.

In making this decision, I considered [REDACTED] submission raising his objection to a further extension of time, the time that the Department has already had to process the request and the number of documents at issue.

I understand that at this stage, there is one document at issue and that it relates to a sub-contractor of the Department and this has introduced a level of complexity in the processing of this request. While there may be a degree of complexity to this request, I note that the processing period has already been extended by a total of 45 days under a previous extension of time request under 15AB of the FOI Act as well as third party consultation.

I understand that the Department commenced consultation with a third party on 10 June 2016. A third party response was received on 20 July 2016 advising it has relevant documentation which it is assessing before providing to the Department. I understand that the Department has notified the third party of the urgency of the matter.

In my view, the factors against granting an extension of time outweigh those for granting an extension. Therefore, I am not satisfied that allowing the Department additional time is warranted in the circumstances.

Please note that my decision will be provided to [REDACTED] today.

Contact

If you have any questions about this email, please contact me on (02) 9284 9605 or by email at [HYPERLINK](mailto:irene.nicolaou@oaic.gov.au) "mailto:irene.nicolaou@oaic.gov.au"irene.nicolaou@oaic.gov.au. In all correspondence please include reference number RQ16/02607.

Yours sincerely

Irene Nicolaou | Assistant Investigation and Review Officer | Freedom of Information Dispute Resolution

Office of the Australian Information Commissioner

Level 3, 175 Pitt Street, SYDNEY NSW 2000

GPO Box 5128 SYDNEY NSW 2001 | [HYPERLINK "http://www.oaic.gov.au/"www.oaic.gov.au](http://www.oaic.gov.au)

Phone: +61 2 9284 9605 | E-mail: [HYPERLINK](mailto:irene.nicolaou@oaic.gov.au) "mailto:irene.nicolaou@oaic.gov.au"irene.nicolaou@oaic.gov.au

Protecting information rights - advancing information policy

Released by DLE, under the
Freedom of Information Act 1982

WARNING: The information contained in this email may be confidential.
If you are not the intended recipient, any use or copying of any part
of this information is unauthorised. If you have received this email in
error, we apologise for any inconvenience and request that you notify
the sender immediately and delete all copies of this email, together
with any attachments.

Released by DLE, under the
Freedom of Information Act 1982

E-mail Message

From: FOI [EX:/o=IMMI/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=FOI715]
To: s. 22(1)(a)(ii)
Cc:
Sent: 11/8/2016 at 1:14 PM
Received: 11/8/2016 at 1:14 PM
Subject: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

Sorry to hassle you, but I was hoping you've had a chance to consider my previous email? I'm happy for you to delegate or refer DM responsibility if necessary.

Regards,

s. 22(1)(a)(ii)
Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection
(s. 22(1)(a)(ii)) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

From: FOI
Sent: Wednesday, 3 August 2016 5:00 PM
To: s. 22(1)(a)(ii)
Subject: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I'm not sure if you're aware of this FOI request yet, but I'm coordinating a decision for the following from [REDACTED] at the Guardian:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

We've been provided the files from Wilson (by way of BRS), and it's time for a decision. Would you be willing to take on the DM role for this one? If you're not able, then it's no problem, but I'd appreciate if you'd be able to nominate

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

someone appropriate who might be well-positioned to take it on.

Thanks in advance for your help!

Regards,

s. 22(1)(a)(ii)

Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection

(s. 22(1)(a)(ii) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

Released by DILP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJRCYE15]
To: s. 22(1)(a)(ii) DSD Coordination [SMTP:dsd.coordination@border.gov.au]
Cc: s. 22(1)(a)(ii)
Sent: 16/8/2016 at 7:05 AM
Received: 16/8/2016 at 7:05 AM
Subject: FW: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I spoke with s. 22(1)(a)(ii) yesterday regarding the [REDACTED] FOI request. The request is seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

[REDACTED] is writing a story about the delay in the processing of this FOI request and believes that the delay has been deliberate. Talking Points have been prepared for the expected story however the Department would like to finalise this matter as quickly as possible.

s. 22(1)(a)(ii) suggested that I talk to you regarding who the decision maker should be. Given the nature of the documents the FOI Section would be happy to finalise the decision in consultation with your area; or alternatively please let me know if you would be better placed to be the decision maker.

Please contact me on s. 22(1)(a)(ii) and we can discuss.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

s. 22(1)(a)(ii)

Released by DILP under the
Freedom of Information Act 1982

Please note I am out of the office from 2:30 PM

UNCLASSIFIED

UNCLASSIFIED

From: FOI
Sent: Wednesday, 3 August 2016 5:00 PM
To: s. 22(1)(a)(ii)
Subject: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I'm not sure if you're aware of this FOI request yet, but I'm coordinating a decision for the following from [REDACTED] at the Guardian:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

We've been provided the files from Wilson (by way of BRS), and it's time for a decision. Would you be willing to take on the DM role for this one? If you're not able, then it's no problem, but I'd appreciate if you'd be able to nominate someone appropriate who might be well-positioned to take it on.

Thanks in advance for your help!

Regards,

s. 22(1)(a)(ii)
Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection
s. 22(1)(a)(ii) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRBCC9394]
To: s. 22(1)(a)(ii)
Cc:
Sent: 16/8/2016 at 9:54 AM
Received: 16/8/2016 at 9:54 AM
Subject: File note: [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

At approximately 12:10pm on 15 August 2016 I received a phone call from [REDACTED] redirected from Ian's phone.

[REDACTED] was seeking an update on his FOI request, which was due on 27 July.

I told [REDACTED] that we'd received the documents, and were currently sourcing an appropriate decision maker. [REDACTED] told me that s. 22(1)(a)(ii) had already advised [REDACTED] that he'd received the documents two weeks prior, and [REDACTED] wanted to know what was causing the delays.

I told [REDACTED] that I was unsure of the exact timeline of the request, but the request was close to finalisation. [REDACTED] told me that at a time when the Department was under scrutiny, it would be "unfortunate" if [REDACTED] were to write a story about the Department "dragging its heels" in processing [REDACTED] request.

[REDACTED] then suggested [REDACTED] might discuss the request with s. 22(1)(a)(ii) and asked if she was in the office. I told [REDACTED] that she was not here right now, but [REDACTED] may like to send her an email if [REDACTED] had her contact details.

[REDACTED] thanked me for my time and we ended the conversation.

I reported the conversation to s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

UNCLASSIFIED

Released by DLE under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJRCYE15]
To: DSD Coordination [SMTP:dsd.coordination@border.gov.au]
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Sent: 16/8/2016 at 11:29 AM
Received: 16/8/2016 at 11:29 AM
Subject: FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Attachments: ^BRS submission.pdf
 1. 22 July 2015 - Investigation report.pdf
 2. 18 February 2016 - Investigation report.pdf
 3. 25 February 2016 - Investigation report.pdf

For-Official-Use-Only

Our References: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)(a)(ii)

Please forward the below consultation email to Broadspectrum and Wilson Security on behalf of the Department.

Regards

s. 22(1)(a)(ii)

Attention: Broadspectrum and Wilson Security

I refer to your letter dated 1 August 2016. Thank you for providing the Department with your consultation comments and the documents subject to the FOI request seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I have had regard to the matters raised in your letter (attachment for your reference) and consider that the arguments would not provide the Department with a defensible position regarding the access decision on these documents. I have provided you with the reasons for this below. I have also provided you with my assessment on the access decision for these documents. Please read the proposed access decision and then advise the Department if you wish to pursue an exemption to specific information. Documents with redactions (marked by a surrounding red border) are attached for your reference. Information surrounded by a red border will not be released.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Please provide your response by Tuesday 23 August 2016. If the Department is not satisfied that additional information can be exempt Broadspectrum will be issued with an access decision letter and provided with review rights.

If no response is received the Department will consider that you continue to object to the release of the documents and proceed to issue Broadspectrum with an access decision. In this case please note that documents subject to your review rights will not be released until such time that your review rights have elapsed or been exhausted.

Proposed access decision on documents subject to the FOI Request

Document 1 - Report dated 22 July 2015

The Department is satisfied that this document was prepared for the dominant purpose of providing legal advice to Wilson Security. I consider that the document is exempt in full under s.42 of the FOI Act.

In support of this decision please confirm that this advice was sought for the dominant purpose of seeking legal advice and that Wilson Security does not wish to waive Legal Professional Privilege in this case.

Document 2 and 3 - Reports dated 18 and 25 February 2016

The Department is satisfied that these documents would not meet a full exemption under the FOI Act. Each document has been assessed to identify specific information that would cause harm in the following situations:

- the effective management and assessment of staff
- the effect to current operations where a contractor is providing services on behalf of the Department
- the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth
- the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology and the association with these matters as they are not publicly known to be associated
- personal information of third parties and the redaction of contractor and departmental staff under s.22 as irrelevant material to the request

Released by DILEP under the
Freedom of Information Act 1982

The arguments provided on the 1 August 2016 support these exemptions. If there is additional specific information that would cause harm, if released, please provide the reasons for this and the expected harm. Please identify the specific information for further redaction and provide your response by Tuesday 23 August 2016

Reasons why certain exemptions would not apply in the circumstances

Documents affecting enforcement of law and protection of public safety

I am not satisfied that an exemption under s.37 of the FOI Act would apply to these documents as the third parties that conducted the investigations are not law enforcement bodies and it is not evident that the law in relation to these matters is Australian Commonwealth or State / Territory law. Further, I note that neither Wilson or Transfield have law enforcement functions.

The use of an exemption under s.37 of the FOI Act must have a link to Australian law and the agency investigating the matter needs to demonstrate that they have functions to conduct such investigations. For your reference I have included an extract from the OAIC guidelines below:

5.72 For the purposes of the exemption, 'law' means a law of the Commonwealth or of a State or a Territory (s 37(3)). It encompasses both criminal and civil law.

5.73 Section 37 concerns the investigative or compliance activities of an agency and the enforcement or administration of the law, including the protection of public safety. It is not concerned with an agency's own obligations to comply with the law. The exemption applies, therefore, where an agency has a function connected with investigating breaches of the law or its enforcement or administration.

Documents disclosing trade secrets or commercially valuable information

I am not satisfied that the documents are of a nature that they include 'trade secrets' or 'commercially valuable information'. The argument does not provide sufficient information for an officer to determine how the release of this information would disadvantage the business interests of BROADSPECTRUM or Wilson Security. I note however that they are specific to two matters / incidents and provide recommendations for how Wilson Security could make changes to current processes in particular HR processes. I am not satisfied that there is not a direct link to how the organisation runs its private commercial affairs within these documents.

The information must be of a kind to confer a competitive advantage to the

Released by DE under the
Freedom of Information Act 1982

broader market and whether a genuine 'arm's length' buyer would be prepared to pay for such information. For your reference I have included an extract from the OAIC guidelines below:

5.188 To be exempt under s 47(1)(b) a document must satisfy two criteria:

- the document must contain information that has a commercial value either to an agency or to another person or body
- the commercial value of the information would, or could reasonably be expected to be, destroyed or diminished if it was disclosed.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn134"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn134)[134]

5.189 It is a question of fact whether information has commercial value, and whether disclosure would destroy or diminish that value. The commercial value may relate, for example, to the profitability or viability of a continuing business operation or commercial activity in which an agency or person is involved.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn135"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn135)[135] The information need not necessarily have 'exchange value', in the sense that it can be sold as a trade secret or intellectual property.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn136"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn136)[136] The following factors may assist in deciding in a particular case whether information has commercial value:

- whether the information is known only to the agency or person for whom it has value or, if it is known to others, to what extent that detracts from its intrinsic commercial value
- whether the information confers a competitive advantage on the agency or person to whom it relates – for example, if it lowers the cost of production or allows access to markets not available to competitors
- whether a genuine 'arm's-length' buyer would be prepared to pay to obtain that information[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn137"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn137)[137]
- whether the information is still current or out of date (out of date information may no longer have any value)[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn138"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn138)[138]
- whether disclosing the information would reduce the value of a business operation or commercial activity – reflected, perhaps, in a lower share price.

5.190 The time and money invested in generating information will not necessarily mean that it has commercial value. Information that is costly to produce will not necessarily have intrinsic commercial value.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn139"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn139)[139]

5.191 The second requirement of s 47(1)(b) – that it could reasonably be expected that disclosure of the information would destroy or diminish its value – must be established separately by satisfactory evidence. It should not be assumed that confidential commercial information will necessarily lose some of its value if it

becomes more widely known. [HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn140"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn140) [140] Nor is it sufficient to establish that an agency or person would be adversely affected by disclosure – for example, by encountering criticism or embarrassment. It must be established that the disclosure would destroy or diminish the commercial value of the information.

Please feel free to contact me if you wish to discuss the request and proposed access decision.

Kind Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: [HYPERLINK "mailto:foi@border.gov.au"](mailto:foi@border.gov.au)foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

Released by DLE, under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: Portfolio Media [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PORTFOLIO MEDIAABB0]
To: s. 22(1)(a)(ii)
Cc: Portfolio Media [SMTP:media@border.gov.au]
Sent: 16/8/2016 at 12:45 PM
Received: 16/8/2016 at 12:45 PM
Subject: RE: FOR URGENT CLEARANCE: Talking points - [REDACTED] FOI - Wilson staff misconduct claims [DLM=For-Official-Use-Only]

Attachments: 160815 TP [REDACTED] FOI processing complaint.docx

Hi s. 22(1)(a)(ii)

Attached are what we landed on yesterday.

FYI - these have not been cleared by the MO and have not been provided to the journalist.

Regards,

s. 22(1)(a)(ii)
 Media Operations

Media and Executive Coordination Branch | Executive Division
 Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:media@border.gov.au"media@border.gov.au

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
 Sent: Tuesday, 16 August 2016 10:49 AM
 To: Media Operations; PHILLIPS Neil
 Cc: s. 22(1)(a)(ii)
 Subject: RE: FOR URGENT CLEARANCE: Talking points - [REDACTED] FOI - Wilson staff misconduct claims [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

Can you please send a copy of the final TPs for our records.

Thanks

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: Portfolio Media

Sent: Monday, 15 August 2016 4:05 PM

To: Neil PHILLIPS

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) Portfolio Media

Subject: FOR URGENT CLEARANCE: Talking points - s. 22(1)(a)(ii) FOI - Wilson staff misconduct claims [DLM=For-Official-Use-Only]

Thanks s. 22(1)(a)(ii)

We think it would be helpful to include some context around how many FOIs we receive.

Neil, are you happy to clear the following for inclusion in the response?

. In the 2015-2016 financial year the Department received 23,836 FOI requests.

Regards

s. 22(1)(a)(ii)

Media Operations

Media and Executive Coordination Branch | Executive Division

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:media@border.gov.au"media@border.gov.au

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Monday, 15 August 2016 3:39 PM
To: Media Operations
Cc: PHILLIPS Neil; s.22(1)(a)(ii)
Subject: RE: FOR FEEDBACK/INPUT: Talking points - [REDACTED] FOI - Wilson staff misconduct claims [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear [REDACTED]

Please see our recommendation for Talking Points to [REDACTED]. Please note that we believe that it is appropriate to address his specific concerns in relation to his FOI request and to not include the general details about the volume of current processing, however it can be useful for background information.

Mr Farrell's FOI request

[REDACTED] FOI request was received on 14 May 2016

[REDACTED] There was a delay in the sourcing all relevant documents subject to [REDACTED] request as they were held by a third party.

[REDACTED] The Department is now satisfied that all documents have been located and is preparing an access decision under the FOI Act.

[REDACTED] The Department will notify [REDACTED] as soon a decision has been made for this request.

Background information only:

FOI references:

FA 16/05/01387; ADF2016/21290

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Scope of FOI Request

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

Current FOI processing:

· The Department is committed to processing all FOI request and issuing all FOI applicant's with an access decision as quickly as possible.

· The Department receives the largest number of freedom of information (FOI) requests of any Commonwealth department or agency.

· In the 2015-2016 financial year the Department received 23,836 FOI request. This was an increase from the previous financial year of 11 per cent. The Department anticipates that this number will continue to increase.

· FOI requests will generally be processed in the order that they are received.

Please let me know if you require additional information.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: Portfolio Media

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Sent: Monday, 15 August 2016 2:00 PM

To: s. 22(1)(a)(ii)

Cc: Portfolio Media

Subject: FOR FEEDBACK/INPUT: Talking points - [REDACTED] FOI - Wilson staff misconduct claims [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Thanks for your time on the phone. I can't access our share drive, so I'll put these in a template when I can, but in the meantime can you please let me know your thoughts on the following.

· The Department rejects claims made by [REDACTED] that it is deliberately withholding documents from him.

· The Department receives the largest number of freedom of information (FOI) requests of any Commonwealth department or agency.

· Last year, the number of FOI requests received by the Department increased by 11 per cent.

· The Department is currently processing more than 6000 FOI requests.

· In this case, the delay in the processing of [REDACTED] FOI request is due to the time taken to source the documents he has requested.

· We are working closely with our service provider, Broadspectrum, to obtain the documents which are held by sub-contractor Wilson Security.

· The Department will notify [REDACTED] as soon a decision has been made for this request.

Kind regards

s. 22(1)(a)(ii)

Media Manager, Media Operations

Media and Executive Coordination Branch | Executive Division

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

E: HYPERLINK "mailto:media@border.gov.au"media@border.gov.au

Released by DLE, under the
Freedom of Information Act 1982



Australian Government
**Department of Immigration
 and Border Protection**



**Australian
 BORDER FORCE**

TALKING POINTS

Subject	FOI delay
Date	15 August 2016
	Agency
Media Officer	s. 22(1)(a)(ii)

ISSUE

Talking points developed ahead of possible media interest in the FOI request made by [REDACTED] from The Guardian.

TALKING POINTS

- There was a delay in sourcing three relevant documents subject to the request as they were held by a third party.
- The Department is now satisfied that all documents have been located and is preparing an access decision under the FOI Act as quickly as practicable.
- In the 2015-2016 financial year the Department received 23,836 FOI requests.
- The Department will notify you as soon a decision has been made for this request.

BACKGROUND (not for public release)

FOI references:

FA 16/05/01387; ADF2016/21290

The FOI request was received on 14 May 2016

Scope of FOI Request

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

Current FOI processing:

The Department is committed to processing all FOI request and issuing all FOI applicant's with an access decision as quickly as possible.

The Department receives the largest number of freedom of information (FOI) requests of any Commonwealth department or agency.



Australian Government
**Department of Immigration
 and Border Protection**



**Australian
 BORDER FORCE**

In the 2015-2016 financial year the Department received 23,836 FOI request. This was an increase from the previous financial year of 11 per cent. The Department anticipates that this number will continue to increase.

FOI requests will generally be processed in the order that they are received.

POINT OF CONTACT (POC) *(This may be more than one office)*

POC Name	s. 22(1)(a)(ii)
Title	Assistant Director, FOI Section
Mobile	s. 22(1)(a)(ii)
Landline	s. 22(1)(a)(ii)
Date Cleared	15 August 2016

CLEARANCE:

Drafted by	Title	Time/Date cleared
s. 22(1)(a)	Media Operations	2pm 15 August 2016

Cleared by	Title	Time/Date sent	Time/Date cleared
Neil Phillips	A/g AS Information Management	1400 15 August 2016	1615 15 August 2016
s. 22(1)(a)(ii)	Director Media Operations	1615 15 August 2016	1700 15 August 2016
s. 22(1)(a)	Strategic Media Advisor	1700 15 August 2016	1710 15 August 2016
Dave Seale	A/g AS, Media & Executive Coordination	1700 15 August 2016	1710 15 August 2016

MO cleared	Sent to MO	Cleared by MO
Full Name	Time DD Month 2016	Time DD Month 2016

UNCLASSIFIED

Released by DIBP under the
 Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJRCYE15]
To: Neil PHILLIPS [SMTP:NEIL.PHILLIPS@BORDER.GOV.AU]
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)
Sent: 16/8/2016 at 11:46 AM
Received: 16/8/2016 at 11:46 AM
Subject: UPDATE - FOI Alert - New request received by the Department [DLM=For-Official-Use-Only]

For-Official-Use-Only

Our References: FA 16/05/01387; ADF2016/21290

Dear Neil

On Monday 15 August 2016 the Department was contacted by [REDACTED] in relation to his FOI request, seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

[REDACTED] expressed his belief that the Department was hiding documents due to the delay in processing his FOI request. He understood that there was only one document subject to the request and therefore there should not be such a delay to finalise the FOI request.

The FOI Section engaged with the Media Team, who was also contacted by [REDACTED] to prepare talking points to manage the expected story. The talking points provided an update on the status of the FOI request and general background information regarding the volume of FOI requests received by this Department.

As discussed the Department has identified three documents that would be subject to [REDACTED]'s FOI request. Due to these documents being in the possession of the subcontractor there was a delay in getting access to the documents. I have conducted a preliminary assessment of the documents and find that one document is exempt in full and two documents are exempt in part. I continue to work with the responsible business area to identify an appropriate decision maker, which in this case may be a decision maker within the FOI Section.

I have today sent a formal consultation email to Broadspectrum and Wilson Security on the proposed access decision, taking into account their original concerns. They have until Tuesday 23 August to respond to this consultation.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 1:29 PM

To: David NOCKELS; PHILLIPS Neil; Portfolio Media

Cc: Cindy BRISCOE; Jill CHARKER; s. 22(1)(a)(ii) s.22(a)(1)(ii)

s.22(a)(1)(ii); Steve INGRAM; s. 22(1)(a)(ii) s. 22(1)(a)(ii) Ben

WRIGHT; Maree BRIDGER; s. 22(1)(a)(ii) Mark JEFFRIES; s. 22(1)(a)(ii) s. 22(1)(a)(ii)

John WISEMAN; s. 22(1)(a)(ii) DLO; Strategic Issue Management

Subject: TRIM: FOI Alert - New request received by the Department [DLM=For-Official-Use-Only]

FOR NOTING AND INFORMATION ONLY - NO ACTION REQUIRED

Our References: FA 16/05/01387; ADF2016/21290

FREEDOM OF INFORMATION (FOI) REQUEST - , The Guardian Australia

Key Points

1. On 14 May 2016, the Department of Immigration and Border Protection (DIBP) received a request for access to documents under the Freedom of Information Act 1982 (FOI Act), from of The Guardian Australia.

2. The request is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.>'

3. A decision on access to these documents is due on or before 15 June 2016.

Request Status

4. The FOI Section is seeking documents that fall within the scope of this request from the Detention Services Division.

5. For updates on the status of this request please review the Weekly FOI Report, updated every Thursday.

Further enquiries about this FOI request can be directed to me on the details below.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection

P| s. 22(1)(a)(ii)

E| foi@border.gov.au

Please consider the environment before printing this email

Released by DLE under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: Neil PHILLIPS [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRNPSG04A]
To: Ben WRIGHT [SMTP:BEN.WRIGHT@BORDER.GOV.AU]
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 16/8/2016 at 2:06 PM
Received: 16/8/2016 at 2:06 PM
Subject: FOI - Update request [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi Ben

During our meeting yesterday I advised you that the Department was contacted by [REDACTED] in relation to his FOI request, seeking access to 'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.' (refer to the FOI Alert below sent on 18 May 2016 advising of original receipt of the request). [REDACTED] expressed his belief that the Department was hiding documents due to the delay in processing his FOI request. He understood that there was only one document subject to the request, and therefore there should not be such a delay to finalise the FOI request.

Involvement of Media Team

The FOI Section engaged with the Media Team yesterday, who was also contacted by [REDACTED] to prepare talking points to manage the expected story. The talking points provided an update on the status of the FOI request and general background information regarding the volume of FOI requests received by this Department.

Documents identified

The Department has identified three documents that would be subject to [REDACTED] FOI request. Due to these documents being in the possession of the subcontractor there was a delay in getting access to the documents. The FOI Section have conducted a preliminary assessment of the documents and found that one document is exempt in full and two documents are exempt in part. The FOI Section will continue to work with the responsible business area to identify an appropriate decision maker, which in this case may be a decision maker within the FOI Section.

Current Status

Today s. 22(1)(a)(ii) Assistant DFOI, sent a formal consultation email to Broadspectrum and Wilson Security on the proposed access decision, taking into account their original concerns. They have until Tuesday 23 August to respond to this consultation. The decision will be finalised once the consultation processes have been completed.

Kind regards

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Neil Phillips
Acting Assistant Secretary

Information Management Branch

Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

Email: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: FOI

Sent: Wednesday, 18 May 2016 1:29 PM

To: David NOCKELS; PHILLIPS Neil; Portfolio Media

Cc: Cindy BRISCOE; Jill CHARKER; s. 22(1)(a)(ii) s.22(a)(1)(ii) (HYPERLINK "mailto:s.22(a)(1)(ii)"; Steve

INGRAM; s. 22(1)(a)(ii) s. 22(1)(a)(ii) Ben WRIGHT; Maree BRIDGER; s. 22(1)(a)(ii) Mark JEFFRIES; s. 22(1)(a)(ii) s. 22(1)(a)(ii) John WISEMAN; s. 22(1)(a)(ii) DLO;

Strategic Issue Management

Subject: TRIM: FOI Alert - New request received by the Department [DLM=For-Official-Use-Only]

FOR NOTING AND INFORMATION ONLY - NO ACTION REQUIRED

Our References: FA 16/05/01387; ADF2016/21290

FREEDOM OF INFORMATION (FOI) REQUEST - [REDACTED] The Guardian Australia

Key Points

1. On 14 May 2016, the Department of Immigration and Border Protection (DIBP) received a request for access to documents under the Freedom of Information Act 1982 (FOI Act), from [REDACTED] of The Guardian Australia.

2. The request is seeking access to:

'All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

[http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133.](http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133)'

3. A decision on access to these documents is due on or before 15 June 2016.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Request Status

4. The FOI Section is seeking documents that fall within the scope of this request from the Detention Services Division.

5. For updates on the status of this request please review the Weekly FOI Report, updated every Thursday.

Further enquiries about this FOI request can be directed to me on the details below.

With kind regards

s. 22(1)(a)(ii)

FOI Officer | Freedom of Information Section
Information Management Branch | Corporate Support Division
Department of Immigration and Border Protection

P| s. 22(1)(a)(ii)

E| HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please consider the environment before printing this email

Released by DLE, under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRGH3B9AC]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)] s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 22/8/2016 at 4:43 PM
Received: 22/8/2016 at 4:43 PM
Subject: RE: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi there

As discussed last week, I will be the Decision Maker on this one.

Thanks

s. 22(1)(a)(ii)

Director, DSD Coordination and Scrutiny

Services Management Branch|Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

UNCLASSIFIED

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Tuesday, 16 August 2016 6:05 AM
To: s. 22(1)(a)(ii) DSD Coordination
Cc: s. 22(1)(a)(ii)
Subject: FW: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I spoke with s. 22(1)(a)(ii) yesterday regarding the s. 22(1)(a)(ii) FOI request. The request is seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

[REDACTED] is writing a story about the delay in the processing of this FOI request and believes that the delay has been deliberate. Talking Points have been prepared for the expected story however the Department would like to finalise this matter as quickly as possible.

s. 22(1)(a)(ii) suggested that I talk to you regarding who the decision maker should be. Given the nature of the documents the FOI Section would be happy to finalise the decision in consultation with your area; or alternatively please let me know if you would be better placed to be the decision maker.

Please contact me on s. 22(1)(a)(ii) and we can discuss.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

UNCLASSIFIED

UNCLASSIFIED

From: FOI

Sent: Wednesday, 3 August 2016 5:00 PM

To: s. 22(1)(a)(ii)

Subject: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I'm not sure if you're aware of this FOI request yet, but I'm coordinating a decision for the following from [REDACTED] at the Guardian:

s. 22(1)(a)(ii)

Released by DIEL under the
Freedom of Information Act 1982

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

We've been provided the files from Wilson (by way of BRS), and it's time for a decision. Would you be willing to take on the DM role for this one? If you're not able, then it's no problem, but I'd appreciate if you'd be able to nominate someone appropriate who might be well-positioned to take it on.

Thanks in advance for your help!

Regards,

s. 22(1)(a)(ii)

Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection

(s. 22(1)(a)(ii)) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMM/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRHVCB61E]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) DSD Coordination [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s.22(a)(1)(ii) [SMTP:s.22(a)(1)(ii) RPC Service Delivery [SMTP:rpc.service.delivery@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)
Sent: 22/8/2016 at 5:12 PM
Received: 22/8/2016 at 5:12 PM
Subject: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Attention: s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Re the delay in the receipt of documents from Broadspectrum in relation to the above FOI request, in case it helps, I am providing my spreadsheet entry for that request -

Request for docs sent to immiquery 18/5. Followed 30/5. s. 22(1)(a)(ii) 31/5: as report isn't required to be provided to Dept under the Contract, NFA req'd; s. 22(1)(a)(ii) revert if anything more req'd. s. 22(1)(a)(ii) 10/6 asked for docs to be provided ASAP. Sent to immiquery 10/6. s. 22(1)(a)(ii) 22/6 provided one doc, sent to FOI 22/6. BRS last followed up 1/8. Most docs rec'd 1/8, sent to FOI 2/8. Remaining 2 docs sent to FOI later on 2/8.

I should add that while the initial call out for documents was sent to Broadspectrum on 18 May 2016, when Offshore Contracts Section advised on 30 May 2016 that the documents sought were not required to be provided under the Contract, s. 22(1)(a)(ii) advised on 31 May 2016 that in that case we need not do anything else unless she instructs to.

When on 10 June 2016, s. 22(1)(a)(ii) advised that s. 22(1)(a)(ii) had sought further advice and that it would appear that the documents are likely to be required to be provided to the Department under the subcontract that Wilson has with Broadspectrum, I passed that advice on to Broadspectrum on the same day and sought the required documents.

Since that date, as is my custom with outstanding FOI requests, I followed up Broadspectrum about once a week, the last occasion being on 1 August 2016. The documents were received from them later on that day. A delay of this nature was unusual in my experience with Broadspectrum. I even got s. 22(1)(a)(ii) to weigh in for me on a couple of occasions. I was never given any substantive reason for the delay.

s. 22(1)(a)(ii)

 Released by DIBP under the
 Freedom of Information Act 1982

Let me know if anything is still not clear/you need anything else.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii)

Sent: Monday, 22 August 2016 3:43 PM

To: FOI

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi there

As discussed last week, I will be the Decision Maker on this one.

Thanks

s. 22(1)(a)(ii)

Director, DSD Coordination and Scrutiny

Services Management Branch|Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Tuesday, 16 August 2016 6:05 AM
To: s. 22(1)(a)(ii) DSD Coordination
Cc: s. 22(1)(a)(ii)
Subject: FW: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I spoke with s. 22(1)(a)(ii) yesterday regarding the [REDACTED] FOI request. The request is seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

[REDACTED] is writing a story about the delay in the processing of this FOI request and believes that the delay has been deliberate. Talking Points have been prepared for the expected story however the Department would like to finalise this matter as quickly as possible.

s. 22(1)(a)(ii) suggested that I talk to you regarding who the decision maker should be. Given the nature of the documents the FOI Section would be happy to finalise the decision in consultation with your area; or alternatively please let me know if you would be better placed to be the decision maker.

Please contact me on s. 22(1)(a)(ii) and we can discuss.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection
P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Please note I am out of the office from 2:30 PM

UNCLASSIFIED

UNCLASSIFIED

From: FOI
Sent: Wednesday, 3 August 2016 5:00 PM
To: s. 22(1)(a)(ii)
Subject: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii),

I'm not sure if you're aware of this FOI request yet, but I'm coordinating a decision for the following from [REDACTED] at the Guardian:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

We've been provided the files from Wilson (by way of BRS), and it's time for a decision. Would you be willing to take on the DM role for this one? If you're not able, then it's no problem, but I'd appreciate if you'd be able to nominate someone appropriate who might be well-positioned to take it on.

Thanks in advance for your help!

Regards,

s. 22(1)(a)(ii)
Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection

(s. 22(1)(a)(ii)) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRHVCB61E]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) DSD Coordination [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s.22(a)(1)(ii) [SMTP:s.22(a)(1)(ii)
Sent: 23/8/2016 at 10:43 AM
Received: 23/8/2016 at 10:43 AM
Subject: FW: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Attention: s. 22(1)(a)(ii)

Below summary is sent to you, in case still helpful.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii)
Sent: Tuesday, 23 August 2016 9:41 AM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Cc: RPC Service Delivery; DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii)
Subject: RE: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

I sent the 10 June 2016 request for documents to the Immiquery mailbox. It is regularly checked. I sent my first reminder on this FOI request to them on 14 June and they referred to it in an email of 16 June 2016.

I am the one who approaches BRS when requesting documents, s. 22(1)(a)(ii) but I always copy in RPC Service Delivery and s. 22(1)(a)(ii)

I gave FOI Section the full history on this request. However, the Department could just simply saying -

After establishing whether these reports/investigations files were required to be presented to the Department under the Contract, which was not immediately clear at first, Broadspectrum (BRS) was asked for the documents concerned. It usually takes a while to obtain documents from BRS as they mostly need to be obtained from offshore, are held in archives on Nauru, are paper-based, need to be scanned, emailed to Australia, checked, zipped, etc.

I trust this answers your questions.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii)

Sent: Tuesday, 23 August 2016 4:50 AM

To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Cc: RPC Service Delivery

Subject: RE: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

UNCLASSIFIED

s. 22(1)(a)(ii)

Who did you deal with in BRS on this one? It's always the same area isn't it? I need to make some time to contact them.

s. 22(1)(a)(ii) / s. 22(1)(a)(ii) - Who are your main contacts? I'm assuming you guys are continuing to have trouble getting anything out of BRS?

Thanks

s. 22(1)(a)(ii)

Director, DSD Coordination and Scrutiny

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

UNCLASSIFIED

From: s. 22(1)(a)(ii)

Sent: Monday, 22 August 2016 4:13 PM

To: FOI

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii)

s. 22(a)(1)(ii) ; RPC Service Delivery; s. 22(1)(a)(ii)

Subject: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

Importance: High

UNCLASSIFIED

Attention: s. 22(1)(a)(ii) and s. 22(1)(a)(ii)

Re the delay in the receipt of documents from Broadspectrum in relation to the above FOI request, in case it helps, I am providing my spreadsheet entry for that request -

Request for docs sent to immiquery 18/5. Followed 30/5. s. 22(1)(a)(ii) 31/5: as report isn't required to be provided to Dept under the Contract, NFA req'd; she'll revert if anything more req'd. s. 22(1)(a)(ii) 10/6 asked for docs to be provided ASAP. Sent to immiquery 10/6. s. 22(1)(a)(ii) 22/6 provided one doc, sent to FOI 22/6.

s. 22(1)(a)(ii)

Released by OIBP under the
Freedom of Information Act 1982

BRS last followed up 1/8. Most docs rec'd 1/8, sent to FOI 2/8. Remaining 2 docs sent to FOI later on 2/8.

I should add that while the initial call out for documents was sent to Broadspectrum on 18 May 2016, when Offshore Contracts Section advised on 30 May 2016 that the documents sought were not required to be provided under the Contract, s. 22(1)(a)(ii) advised on 31 May 2016 that in that case we need not do anything else unless she instructs to.

When on 10 June 2016, s. 22(1)(a)(ii) advised that she had sought further advice and that it would appear that the documents are likely to be required to be provided to the Department under the subcontract that Wilson has with Broadspectrum, I passed that advice on to Broadspectrum on the same day and sought the required documents.

Since that date, as is my custom with outstanding FOI requests, I followed up Broadspectrum about once a week, the last occasion being on 1 August 2016. The documents were received from them later on that day. A delay of this nature was unusual in my experience with Broadspectrum. I even got s. 22(1)(a)(ii) to weigh in for me on a couple of occasions. I was never given any substantive reason for the delay.

Let me know if anything is still not clear/you need anything else.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii)

Sent: Monday, 22 August 2016 3:43 PM

To: FOI

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: RE: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi there

As discussed last week, I will be the Decision Maker on this one.

Thanks

s. 22(1)(a)(ii)
Director, DSD Coordination and Scrutiny
Services Management Branch|Detention Services Division
Support Group
Australian Border Force
P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)
E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

UNCLASSIFIED

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Tuesday, 16 August 2016 6:05 AM
To: s. 22(1)(a)(ii) DSD Coordination
Cc: s. 22(1)(a)(ii)
Subject: FW: TRIM: RE: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I spoke with s. 22(1)(a)(ii) yesterday regarding the FOI request. The request is seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

s. 22(1)(a)(ii) is writing a story about the delay in the processing of this FOI request and believes that the delay has been deliberate. Talking Points have been prepared for the expected story however the Department would like to finalise this matter as quickly as possible.

s. 22(1)(a)(ii)

Amanda suggested that I talk to you regarding who the decision maker should be. Given the nature of the documents the FOI Section would be happy to finalise the decision in consultation with your area; or alternatively please let me know if you would be better placed to be the decision maker.

Please contact me on 6264 1580 and we can discuss.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

UNCLASSIFIED

UNCLASSIFIED

From: FOI

Sent: Wednesday, 3 August 2016 5:00 PM

To: s. 22(1)(a)(ii)

Subject: TRIM: FOI request FA 16/05/01387 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii),

I'm not sure if you're aware of this FOI request yet, but I'm coordinating a decision for the following from [REDACTED] at the Guardian:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

s. 22(1)(a)(ii)

We've been provided the files from Wilson (by way of BRS), and it's time for a decision. Would you be willing to take on the DM role for this one? If you're not able, then it's no problem, but I'd appreciate if you'd be able to nominate someone appropriate who might be well-positioned to take it on.

Thanks in advance for your help!

Regards,

s. 22(1)(a)(ii)

Freedom of Information Officer

Information Management Branch

Department of Immigration and Border Protection

(s. 22(1)(a)(ii)) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

UNCLASSIFIED

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMM/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRHVCB61E]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) DSD Coordination [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s.22(a)(1)(ii) [SMTP:s.22(a)(1)(ii) RPC Service Delivery [SMTP:rpc.service.delivery@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 23/8/2016 at 1:15 PM
Received: 23/8/2016 at 1:15 PM
Subject: By Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png

For-Official-Use-Only

Attention: s. 22(1)(a)(ii)

The response to the consultation email in relation to the above FOI request is due cob today.

Broadspectrum has requested an extension to COB tomorrow (24 August 2016) in which to complete its response.

I hope that will be OK.

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s.22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

e: HYPERLINK
 "mailto:s.22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadpectrum.com]
 Sent: Tuesday, 23 August 2016 12:06 PM
 To: Immiquery; s.22(1)(a)(ii)
 Cc: s.47F(1); s.47F(1); DSD Coordination; s.22(1)(a)(ii) s.22(a)(1)(ii) RPC
 Service Delivery; s.22(1)(a)(ii)
 Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
 Broadpectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Good Afternoon,

Apologies for any inconvenience s.22(1)(a)(ii) but unfortunately we are unable to provide
 a response today. This request requires further review and so we kindly request.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadpectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK
 "mailto:s.47F(1)
 www.broadpectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadpectrumgroup"Description: Description:
 cid:image010.png@01D1291C.2C04F300HYPERLINK
 "http://www.twitter.com/broadservices"Description: Description:
 cid:image012.png@01D1291C.2C04F300HYPERLINK
 "https://vimeo.com/broadpectrumgroup"Description: Description:
 cid:image014.png@01D1291C.2C04F300HYPERLINK
 "http://www.broadpectrum.com/media/RSS-Feeds"Description: Description:
 cid:image016.png@01D1291C.2C04F300HYPERLINK
 "https://www.linkedin.com/company/broadpectrum"Description: Description:
 cid:image017.png@01D1291C.2C04F300

Released by DBP under the
 Freedom of Information Act 1982

s.22(1)(a)(ii)

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Monday, August 22, 2016 4:35 PM
To: Immiquery
Cc: s.47F(1) ; s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) ; s. 22(a)(1)(ii) ; RPC Service Delivery; s. 22(1)(a)(ii)
Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.47F(1)

A reminder that your response to the consultation email in relation to the above FOI request is due at noon tomorrow (Tuesday), please.

Please try to meet this deadline, as since sending you my email on 17 August 2016, the applicant has queried the delay in the processing of this FOI request with the department.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

s. 22(1)(a)(ii)

E-mail Message

From: FOI [EX:/o=IMMI/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=FOI715]
To: s. 22(1)(a)(ii)
Cc: [SMTP s. 22(1)(a)(ii)]
Sent: s.22(1)(a)(ii)
Received: [SMTP s. 22(1)(a)(ii)]
Subject: 24/8/2016 at 5:32 PM
 RE: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Attachments: image001.png
 image002.png
 image003.png
 image004.png
 image005.png
 image006.png

For-Official-Use-Only

Thanks s. 22(1)(a)(ii) do you have an ETA on the remainder of the response?

Regards,

s. 22(1)(a)(ii)
 Freedom of Information Officer
 Information Management Branch

Department of Immigration and Border Protection
 (s. 22(1)(a)(ii)) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Wednesday, 24 August 2016 4:29 PM
To: FOI
Cc: Brad COLLINS; DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) RPC Service
Delivery: s. 22(1)(a)(ii)
Subject: FW: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Attention: s. 22(1)(a)(ii)

BRS' part response in relation to the above matter follows.

Released by DIBP under the
 Freedom of Information Act 1982

s. 22(1)(a)(ii)

Kind regards.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadpectrum.com]

Sent: Wednesday, 24 August 2016 4:10 PM

To: s. 22(1)(a)(ii)

Cc: s. 47F(1) ; s. 47F(1) DSD Coordination; s. 22(1)(a)(ii) s. 22(a)(1)(ii) ; RPC

Service Delivery; s. 22(1)(a)(ii) s. 22(1)(a)(ii) Immiquery; s. 47F(1)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadpectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Our legal team is still finalising however in the first instance please note that we would like to request the following items within the documents be redacted as follows.

As soon as I have the legal response I will let you know.

Thanks,

s. 47F(1)

Document 2

Page 2: last paragraph Wilson's address

Redact on the basis of privacy - to maintain privacy to the extent possible of the Wilsons premises so as not to promote location of Immigration offices within Wilson given that they have been subjected to targeted protests.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Document 3:

Page 5: Redact

a) s. 47E(d)

b) s. 47E(d)

Redact on the basis that it seeks to disclose the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth as well as the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology and the association with these matters as they are not publicly known to be associated

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1)

www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: Immiquery

Sent: Tuesday, August 23, 2016 12:23 PM

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

To: 's. 22(1)(a)(ii) Immiquery
 Cc: s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) RPC
 Service Delivery; s. 22(1)(a)(ii)
 Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
 Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Thank you, this is greatly appreciated.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1) | W
 www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
 cid:image010.png@01D1291C.2C04F300HYPERLINK
 "http://www.twitter.com/broadservices"Description: Description:
 cid:image012.png@01D1291C.2C04F300HYPERLINK
 "https://vimeo.com/broadspectrumgroup"Description: Description:
 cid:image014.png@01D1291C.2C04F300HYPERLINK
 "http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
 cid:image016.png@01D1291C.2C04F300HYPERLINK
 "https://www.linkedin.com/company/broadspectrum"Description: Description:
 cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
 Sent: Tuesday, August 23, 2016 12:21 PM
 To: Immiquery

s. 22(1)(a)(ii)

Cc: s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) RPC
 Service Delivery; s. 47F(1)
 Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
 Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.47F(1)

An extension has been granted until cob tomorrow (Wednesday).

Thank you for keeping us informed.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s.22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadspectrum.com]

Sent: Tuesday, 23 August 2016 12:06 PM

To: Immiquery; s. 22(1)(a)(ii)

Cc: s.47F(1) ; s.47F(1) DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) ; RPC
 Service Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
 Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Good Afternoon,

Apologies for any inconvenience s. 22(1)(a)(ii) but unfortunately we are unable to provide a response today. This request requires further review and so we kindly request an extension to COB tomorrow 24th August.

s. 22(1)(a)(ii)

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1) | W
www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: Immiquery

Sent: Monday, August 22, 2016 4:46 PM

To: 's. 22(1)(a)(ii) Immiquery

Cc: s.47F(1) ; s.47F(1) DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) RE:

Service Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Thank you for your email, we will endeavour to have a response to you by 12pm
tomorrow 23rd August.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1) | W
www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Monday, August 22, 2016 4:35 PM
To: Immiquery
Cc: s.47F(1); s.47F(1); s.47F(1); DSD Coordination; s. 22(1)(a)(ii)
s.22(a)(1)(ii) RPC Service Delivery; s. 22(1)(a)(ii)
Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.47F(1)

A reminder that your response to the consultation email in relation to the above
FOI request is due at noon tomorrow (Tuesday), please.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Please try to meet this deadline, as since sending you my email on 17 August 2016, the applicant has queried the delay in the processing of this FOI request with the department.

Many thanks.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 17 August 2016 2:05 PM

To: 'Immiquery'

Cc: s.47F(1) ; s.47F(1) DSD Coordination; s. 22(1)(a)(ii) RPC Service

Delivery: s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi s.47F(1)

Thank you for your email.

Please consult Wilson Security and provide a response on their behalf.

Many thanks.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadpectrum.com]

Sent: Wednesday, 17 August 2016 1:06 PM

To: s. 22(1)(a)(ii) Immiquery

Cc: s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) RPC Service

Delivery: s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadpectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Thank you for your email, we are currently working to provide a response in the requested timeframe.

Could you please advise whether Wilson Security are being consulted separately or if the expectation is that Broadpectrum will consult with Wilson Security and provide a response on their behalf.

Thank you.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

s. 22(1)(a)(ii)

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1)

www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Wednesday, August 17, 2016 11:25 AM
To: Immiquery
Cc: s.47F(1); s.47F(1) DSD Coordination; s. 22(1)(a)(ii) RPC Service
Delivery: s. 22(1)(a)(ii)
Subject: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi immiquery

I have been asked to forward the below consultation email to you and Wilson Security on behalf of the Department.

I look forward to your response by noon on Tuesday 23 August 2016.

Many thanks.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Tuesday, 16 August 2016 10:30 AM

To: DSD Coordination

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Our References: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)(a)(ii)

Please forward the below consultation email to Broadspectrum and Wilson Security on behalf of the Department.

Regards

s. 22(1)(a)(ii)

Attention: Broadspectrum and Wilson Security

I refer to your letter dated 1 August 2016. Thank you for providing the Department with your consultation comments and the documents subject to the FOI request seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

s. 22(1)(a)(ii)

I have had regard to the matters raised in your letter (attachment for your reference) and consider that the arguments would not provide the Department with a defensible position regarding the access decision on these documents. I have provided you with the reasons for this below. I have also provided you with my assessment on the access decision for these documents. Please read the proposed access decision and then advise the Department if you wish to pursue an exemption to specific information. Documents with redactions (marked by a surrounding red border) are attached for your reference. Information surrounded by a red border will not be released.

Please provide your response by Tuesday 23 August 2016. If the Department is not satisfied that additional information can be exempt Broadpectrum will be issued with an access decision letter and provided with review rights.

If no response is received the Department will consider that you continue to object to the release of the documents and proceed to issue Broadpectrum with an access decision. In this case please note that documents subject to your review rights will not be released until such time that your review rights have elapsed or been exhausted.

Proposed access decision on documents subject to the FOI Request

Document 1 - Report dated 22 July 2015

The Department is satisfied that this document was prepared for the dominant purpose of providing legal advice to Wilson Security. I consider that the document is exempt in full under s.42 of the FOI Act.

In support of this decision please confirm that this advice was sought for the dominant purpose of seeking legal advice and that Wilson Security does not wish to waive Legal Professional Privilege in this case.

Document 2 and 3 - Reports dated 18 and 25 February 2016

The Department is satisfied that these documents would not meet a full exemption under the FOI Act. Each document has been assessed to identify specific information that would cause harm in the following situations:

- the effective management and assessment of staff
- the effect to current operations where a contractor is providing services on behalf of the Department
- the business affairs of Wilson Security in managing staff within the

Released by DLE under the
Freedom of Information Act 1982

employment, and possible breaches to a law of the Commonwealth

· the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology and the association with these matters as they are not publicly known to be associated

· personal information of third parties and the redaction of contractor and departmental staff under s.22 as irrelevant material to the request

The arguments provided on the 1 August 2016 support these exemptions. If there is additional specific information that would cause harm, if released, please provide the reasons for this and the expected harm. Please identify the specific information for further redaction and provide your response by Tuesday 23 August 2016

Reasons why certain exemptions would not apply in the circumstances

Documents affecting enforcement of law and protection of public safety

I am not satisfied that an exemption under s.37 of the FOI Act would apply to these documents as the third parties that conducted the investigations are not law enforcement bodies and it is not evident that the law in relation to these matters is Australian Commonwealth or State / Territory law. Further, I note that neither Wilson or Transfield have law enforcement functions.

The use of an exemption under s.37 of the FOI Act must have a link to Australian law and the agency investigating the matter needs to demonstrate that they have functions to conduct such investigations. For your reference I have included an extract from the OAIC guidelines below:

5.72 For the purposes of the exemption, 'law' means a law of the Commonwealth or of a State or a Territory (s 37(3)). It encompasses both criminal and civil law.

5.73 Section 37 concerns the investigative or compliance activities of an agency and the enforcement or administration of the law, including the protection of public safety. It is not concerned with an agency's own obligations to comply with the law. The exemption applies, therefore, where an agency has a function connected with investigating breaches of the law or its enforcement or administration.

Documents disclosing trade secrets or commercially valuable information

I am not satisfied that the documents are of a nature that they include 'trade

Released by DLE under the
Freedom of Information Act 1982

secretes' or 'commercially valuable information. The argument does not provide sufficient information for an officer to determine how the release of this information would disadvantage the business interests of Broadspectrum or Wilson Security. I note however that they are specific to two matters / incidents and provide recommendations for how Wilson Security could make changes to current processes in particular HR processes. I am not satisfied that there is not a direct link to how the organisation runs its private commercial affairs within these documents.

The information must be of a kind to confer a competitive advantage to the broader market and whether a genuine 'arm's length' buyer would be prepared to pay for such information. For your reference I have included an extract from the OAIC guidelines below:

5.188 To be exempt under s 47(1)(b) a document must satisfy two criteria:

- the document must contain information that has a commercial value either to an agency or to another person or body
- the commercial value of the information would, or could reasonably be expected to be, destroyed or diminished if it was disclosed.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn134"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn134)[134]

5.189 It is a question of fact whether information has commercial value, and whether disclosure would destroy or diminish that value. The commercial value may relate, for example, to the profitability or viability of a continuing business operation or commercial activity in which an agency or person is involved.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn135"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn135)[135] The information need not necessarily have 'exchange value', in the sense that it can be sold as a trade secret or intellectual property.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn136"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn136)[136] The following factors may assist in deciding in a particular case whether information has commercial value:

- whether the information is known only to the agency or person for whom it has value or, if it is known to others, to what extent that detracts from its intrinsic commercial value
- whether the information confers a competitive advantage on the agency or person to whom it relates – for example, if it lowers the cost of production or allows access to markets not available to competitors
- whether a genuine 'arm's-length' buyer would be prepared to pay to obtain that information[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn137"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn137)[137]
- whether the information is still current or out of date (out of date information may no longer have any value)[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn138"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn138)[138]
- whether disclosing the information would reduce the value of a business operation or commercial activity – reflected, perhaps, in a lower share price.

5.190 The time and money invested in generating information will not necessarily mean that it has commercial value. Information that is costly to produce will not necessarily have intrinsic commercial value. [HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn139"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn139) [139]

5.191 The second requirement of s 47(1)(b) – that it could reasonably be expected that disclosure of the information would destroy or diminish its value – must be established separately by satisfactory evidence. It should not be assumed that confidential commercial information will necessarily lose some of its value if it becomes more widely known. [HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn140"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn140) [140] Nor is it sufficient to establish that an agency or person would be adversely affected by disclosure – for example, by encountering criticism or embarrassment. It must be established that the disclosure would destroy or diminish the commercial value of the information.

Please feel free to contact me if you wish to discuss the request and proposed access decision.

Kind Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: [HYPERLINK "mailto:foi@border.gov.au"](mailto:foi@border.gov.au)foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

For-Official-Use-Only

Important Notice: The content of this email is intended only for use by the individual or entity to whom it is addressed. If you have received this email by mistake, please advise the sender and delete the message and attachments immediately. This email, including attachments, may contain confidential, sensitive, legally privileged and/or copyright information.

Any review, retransmission, dissemination or other use of this information by persons or entities other than the intended recipient is prohibited. DIBP respects your privacy and has obligations under the Privacy Act 1988.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Unsolicited commercial emails MUST NOT be sent to the originator of this email.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

Released by DLE under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRGH3B9AC]
To: FOI [SMTP:foi@border.gov.au]
Cc:
Sent: 25/8/2016 at 7:31 PM
Received: 25/8/2016 at 7:31 PM
Subject: FW: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Attachments: image001.png
 image002.png
 image003.png
 image004.png
 image005.png
 image006.png

For-Official-Use-Only

Guys

Sorry if someone in my team has provided this already, but please see below.

s. 22(1)(a)(ii)

Director, DSD Coordination and Scrutiny

Services Management Branch|Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadspectrum.com]
 Sent: Thursday, 25 August 2016 4:40 PM
 To: s. 22(1)(a)(ii) Immiquery
 Cc: s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) RPC Service
 Delivery; s. 22(1)(a)(ii) ; s.47F(1)
 Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

I have conferred with our Legal team and confirm that we have no further redactions to request aside from what we have already advised in our previous email.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Thank you.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1) | W
www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

Released by DIBP under the
Freedom of Information Act 1982

E-mail Message

From: FOI [EX:/o=IMMI/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=FOI715]
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)]
Sent: 1/9/2016 at 11:06 AM
Received: 1/9/2016 at 11:06 AM
Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Attachments: image001.png
 image002.png
 image003.png
 image004.png
 image005.png
 image006.png

For-Official-Use-Only

Thanks s. 22(1)(a)(ii) s. 22(1)(a)(ii) sent this through in your absence.

(s. 22(1)(a)(ii) - thanks - and apologies for not acknowledging that previously).

FYI, I'm going on leave from tomorrow, so s. 22(1)(a)(ii) will see this request through to completion. As we've received all BRS feedback, she'll be in touch if anything further is required.

Thanks,

s. 22(1)(a)(ii)
 Freedom of Information Officer
 Information Management Branch

Department of Immigration and Border Protection
 s. 22(1)(a)(ii) | HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Thursday, 1 September 2016 9:54 AM
To: FOI
Cc: s. 22(1)(a)(ii) ; DSD Coordination
Subject: FW: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

Attention: s. 22(1)(a)(ii)

Am back from leave today.

I'm forwarding below email, in case still useful to you.

Kind regards.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadpectrum.com]

Sent: Thursday, 25 August 2016 4:40 PM

To: s. 22(1)(a)(ii) Immiquery

Cc: s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) RPC Service

Delivery; s. 22(1)(a)(ii) ; s.47F(1)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadpectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1),

I have conferred with our Legal team and confirm that we have no further redactions to request aside from what we have already advised in our previous email.

Thank you.

s. 22(1)(a)(ii)

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1) | W
www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Wednesday, August 24, 2016 4:41 PM
To: Immiquery
Cc: s.47F(1) ; s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii)
RPC Service Delivery; s. 22(1)(a)(ii)
Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.47F(1)

FOI Section has asked for an ETA for the remainder of the response,

s. 22(1)(a)(ii)

What can I tell them, please?

Many thanks.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 24 August 2016 4:31 PM

To: 'Immiquery'

Cc: s.47F(1); s.47F(1); DSD Coordination; s. 22(1)(a)(ii) s. 22(1)(a)(ii) RPC
Service Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Many thanks, all.

We look forward to receiving the legal response.

Kind regards.

s. 22(1)

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadpectrum.com]

Sent: Wednesday, 24 August 2016 4:10 PM

To: s. 22(1)(a)(ii)

Cc: s.47F(1) ; s.47F(1) DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) RPC
Service Delivery; s. 22(1)(a)(ii) ; s. 22(1)(a)(ii) Immiquery; s.47F(1)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadpectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Our legal team is still finalising however in the first instance please note that we would like to request the following items within the documents be redacted as follows.

As soon as I have the legal response I will let you know.

Thanks,
s.47F(1)

Document 2

Page 2: last paragraph Wilson's address

Redact on the basis of privacy - to maintain privacy to the extent possible of the Wilsons premises so as not to promote location of Immigration offices within Wilson given that they have been subjected to targeted protests.

Document 3:

Page 5: Redact

a) s. 47E(d)

b) s. 47E(d)

s. 22(1)(a)(ii)

Redact on the basis that it seeks to disclose the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth as well as the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology and the association with these matters as they are not publicly known to be associated

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M s.47F(1)

E HYPERLINK

"mailto:s.47F(1) | W
www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: Immiquery

Sent: Tuesday, August 23, 2016 12:23 PM

To: s. 22(1)(a)(ii) Immiquery

Cc: s.47F(1); s.47F(1); DSD Coordination; s. 22(1)(a)(ii); s.22(a)(1)(ii) REC
Service Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Thank you, this is greatly appreciated.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +61 s.47F(1)

E HYPERLINK

"mailto:s.47F(1)

www.broadspectrum.com

W

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Tuesday, August 23, 2016 12:21 PM
To: Immiquery
Cc: s.47F(1); s.47F(1); DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) RFC
Service Delivery; s. 22(1)(a)(ii)
Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Hi s.47F(1)

An extension has been granted until cob tomorrow (Wednesday).

Thank you for keeping us informed.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadpectrum.com]

Sent: Tuesday, 23 August 2016 12:06 PM

To: Immiquery; s. 22(1)(a)(ii)

Cc: s.47F(1); s.47F(1); DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) RPC
Service Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadpectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Good Afternoon,

Apologies for any inconvenience s. 22(1)(a)(ii) but unfortunately we are unable to provide
a response today. This request requires further review and so we kindly request
an extension to COB tomorrow 24th August.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M s.47F(1)

E HYPERLINK

"mailto:s.47F(1)

www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: Immiquery

Sent: Monday, August 22, 2016 4:46 PM

To: 's. 22(1)(a)(ii) Immiquery

Cc: s.47F(1); s.47F(1); DSD Coordination; s. 22(1)(a)(ii) s.22(a)(1)(ii) RPC

Service Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Thank you for your email, we will endeavour to have a response to you by 12pm
tomorrow 23rd August.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Broadspectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +s.47F(1)

E HYPERLINK

"mailto:s.47F(1)

www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Monday, August 22, 2016 4:35 PM
To: Immiquery
Cc: s.47F(1); s.47F(1) s.47F(1); DSD Coordination; s. 22(1)(a)(ii)
s.22(a)(1)(ii) RPC Service Delivery; s. 22(1)(a)(ii)
Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.47F(1)

A reminder that your response to the consultation email in relation to the above
FOI request is due at noon tomorrow (Tuesday), please.

Please try to meet this deadline, as since sending you my email on 17 August
2016, the applicant has queried the delay in the processing of this FOI request
with the department.

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

Many thanks.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 17 August 2016 2:05 PM

To: 'Immiquery'

Cc: s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) RPC Service Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi s.47F(1)

Thank you for your email.

Please consult Wilson Security and provide a response on their behalf.

Many thanks.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

s. 22(1)(a)(ii)

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: Immiquery [mailto:Immiquery@broadpectrum.com]

Sent: Wednesday, 17 August 2016 1:06 PM

To: Immiquery

Cc: s.47F(1) ; s.47F(1) ; DSD Coordination; s. 22(1)(a)(ii) RPC Service

Delivery; s. 22(1)(a)(ii)

Subject: RE: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadpectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

Hi s. 22(1)(a)(ii)

Thank you for your email, we are currently working to provide a response in the requested timeframe.

Could you please advise whether Wilson Security are being consulted separately or if the expectation is that Broadpectrum will consult with Wilson Security and provide a response on their behalf.

Thank you.

Kind Regards

s.47F(1)

s.47F(1)

s.47F(1) | Immigration

Broadpectrum | Care and Welfare

Level 3, 509 St Kilda Road VIC 3004

D +61 | M +s.47F(1)

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E HYPERLINK

"mailto:s.47F(1)

www.broadspectrum.com

Description: Adobe Systems

..HYPERLINK "http://www.facebook.com/broadspectrumgroup"Description: Description:
cid:image010.png@01D1291C.2C04F300HYPERLINK
"http://www.twitter.com/broadservices"Description: Description:
cid:image012.png@01D1291C.2C04F300HYPERLINK
"https://vimeo.com/broadspectrumgroup"Description: Description:
cid:image014.png@01D1291C.2C04F300HYPERLINK
"http://www.broadspectrum.com/media/RSS-Feeds"Description: Description:
cid:image016.png@01D1291C.2C04F300HYPERLINK
"https://www.linkedin.com/company/broadspectrum"Description: Description:
cid:image017.png@01D1291C.2C04F300

Consider the environment and 'think before you print'

From: s. 22(1)(a)(ii) [mailto:s. 22(1)(a)(ii)]
Sent: Wednesday, August 17, 2016 11:25 AM
To: Immiquery
Cc: s.47F(1); s.47F(1) DSD Coordination; s. 22(1)(a)(ii) RPC Service
Delivery; s. 22(1)(a)(ii)
Subject: By noon on Tue 23 August, pls : FOI Request - Consultation with
Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi immiquery

I have been asked to forward the below consultation email to you and Wilson Security on behalf of the Department.

I look forward to your response by noon on Tuesday 23 August 2016.

Many thanks.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Tuesday, 16 August 2016 10:30 AM

To: DSD Coordination

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: FOI Request - Consultation with Broadspectrum and Wilson Security - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Our References: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)(a)(ii)

Please forward the below consultation email to Broadspectrum and Wilson Security on behalf of the Department.

Regards

s. 22(1)(a)(ii)

Attention: Broadspectrum and Wilson Security

I refer to your letter dated 1 August 2016. Thank you for providing the Department with your consultation comments and the documents subject to the FOI request seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

I have had regard to the matters raised in your letter (attachment for your reference) and consider that the arguments would not provide the Department with a defensible position regarding the access decision on these documents. I have provided you with the reasons for this below. I have also provided you with my assessment on the access decision for these documents. Please read the proposed access decision and then advise the Department if you wish to pursue an exemption to specific information. Documents with redactions (marked by a surrounding red

Released by DIBP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

border) are attached for your reference. Information surrounded by a red border will not be released.

Please provide your response by Tuesday 23 August 2016. If the Department is not satisfied that additional information can be exempt Broadpectrum will be issued with an access decision letter and provided with review rights.

If no response is received the Department will consider that you continue to object to the release of the documents and proceed to issue Broadpectrum with an access decision. In this case please note that documents subject to your review rights will not be released until such time that your review rights have elapsed or been exhausted.

Proposed access decision on documents subject to the FOI Request

Document 1 - Report dated 22 July 2015

The Department is satisfied that this document was prepared for the dominant purpose of providing legal advice to Wilson Security. I consider that the document is exempt in full under s.42 of the FOI Act.

In support of this decision please confirm that this advice was sought for the dominant purpose of seeking legal advice and that Wilson Security does not wish to waive Legal Professional Privilege in this case.

Document 2 and 3 - Reports dated 18 and 25 February 2016

The Department is satisfied that these documents would not meet a full exemption under the FOI Act. Each document has been assessed to identify specific information that would cause harm in the following situations:

- the effective management and assessment of staff
- the effect to current operations where a contractor is providing services on behalf of the Department
- the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth
- the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology and the association with these matters as they are not publicly known to be associated
- personal information of third parties and the redaction of contractor and departmental staff under s.22 as irrelevant material to the request

Released by DLE under the
Freedom of Information Act 1982

The arguments provided on the 1 August 2016 support these exemptions. If there is additional specific information that would cause harm, if released, please provide the reasons for this and the expected harm. Please identify the specific information for further redaction and provide your response by Tuesday 23 August 2016

Reasons why certain exemptions would not apply in the circumstances

Documents affecting enforcement of law and protection of public safety

I am not satisfied that an exemption under s.37 of the FOI Act would apply to these documents as the third parties that conducted the investigations are not law enforcement bodies and it is not evident that the law in relation to these matters is Australian Commonwealth or State / Territory law. Further, I note that neither Wilson or Transfield have law enforcement functions.

The use of an exemption under s.37 of the FOI Act must have a link to Australian law and the agency investigating the matter needs to demonstrate that they have functions to conduct such investigations. For your reference I have included an extract from the OAIC guidelines below:

5.72 For the purposes of the exemption, 'law' means a law of the Commonwealth or of a State or a Territory (s 37(3)). It encompasses both criminal and civil law.

5.73 Section 37 concerns the investigative or compliance activities of an agency and the enforcement or administration of the law, including the protection of public safety. It is not concerned with an agency's own obligations to comply with the law. The exemption applies, therefore, where an agency has a function connected with investigating breaches of the law or its enforcement or administration.

Documents disclosing trade secrets or commercially valuable information

I am not satisfied that the documents are of a nature that they include 'trade secrets' or 'commercially valuable information'. The argument does not provide sufficient information for an officer to determine how the release of this information would disadvantage the business interests of Broadspectrum or Wilson Security. I note however that they are specific to two matters / incidents and provide recommendations for how Wilson Security could make changes to current processes in particular HR processes. I am not satisfied that there is not a direct link to how the organisation runs its private commercial affairs within these documents.

Released by DILEP under the
Freedom of Information Act 1982

The information must be of a kind to confer a competitive advantage to the broader market and whether a genuine 'arm's length' buyer would be prepared to pay for such information. For your reference I have included an extract from the OAIC guidelines below:

5.188 To be exempt under s 47(1) (b) a document must satisfy two criteria:

- the document must contain information that has a commercial value either to an agency or to another person or body
- the commercial value of the information would, or could reasonably be expected to be, destroyed or diminished if it was disclosed.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn134"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn134)[134]

5.189 It is a question of fact whether information has commercial value, and whether disclosure would destroy or diminish that value. The commercial value may relate, for example, to the profitability or viability of a continuing business operation or commercial activity in which an agency or person is involved.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn135"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn135)[135] The information need not necessarily have 'exchange value', in the sense that it can be sold as a trade secret or intellectual property.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn136"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn136)[136] The following factors may assist in deciding in a particular case whether information has commercial value:

- whether the information is known only to the agency or person for whom it has value or, if it is known to others, to what extent that detracts from its intrinsic commercial value
- whether the information confers a competitive advantage on the agency or person to whom it relates – for example, if it lowers the cost of production or allows access to markets not available to competitors
- whether a genuine 'arm's-length' buyer would be prepared to pay to obtain that information[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn137"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn137)[137]
- whether the information is still current or out of date (out of date information may no longer have any value)[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn138"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn138)[138]
- whether disclosing the information would reduce the value of a business operation or commercial activity – reflected, perhaps, in a lower share price.

5.190 The time and money invested in generating information will not necessarily mean that it has commercial value. Information that is costly to produce will not necessarily have intrinsic commercial value.[HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn139"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn139)[139]

5.191 The second requirement of s 47(1) (b) – that it could reasonably be expected

that disclosure of the information would destroy or diminish its value – must be established separately by satisfactory evidence. It should not be assumed that confidential commercial information will necessarily lose some of its value if it becomes more widely known. [HYPERLINK "https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn140"](https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-5-exemptions#ftn140) [140] Nor is it sufficient to establish that an agency or person would be adversely affected by disclosure – for example, by encountering criticism or embarrassment. It must be established that the disclosure would destroy or diminish the commercial value of the information.

Please feel free to contact me if you wish to discuss the request and proposed access decision.

Kind Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: [HYPERLINK "mailto:foi@border.gov.au"](mailto:foi@border.gov.au)foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

For-Official-Use-Only

Important Notice: The content of this email is intended only for use by the individual or entity to whom it is addressed. If you have received this email by mistake, please advise the sender and delete the message and attachments immediately. This email, including attachments, may contain confidential, sensitive, legally privileged and/or copyright information.

Any review, retransmission, dissemination or other use of this information by persons or entities other than the intended recipient is prohibited. DIBP respects your privacy and has obligations under the Privacy Act 1988.

Unsolicited commercial emails MUST NOT be sent to the originator of this email.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects." Thank You.

"This email and any attachments are confidential and are for the intended addressee[s] only. Unauthorised use of this communication is prohibited. If you have received this communication in error, please notify the sender and remove them from your system. Confidentiality is not waived or lost by reason of the mistaken delivery to you. Before opening or using any attachments, it is your responsibility to check them for viruses and defects."

Thank You.

Released by DfE under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJRCYE15]
To: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent: 6/9/2016 at 9:24 AM
Received: 6/9/2016 at 9:24 AM
Subject: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Attachments: s. 22(1)(a)(ii)

For-Official-Use-Only

For Action by Monday 12 September 2016

Our references: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)(a)(ii)

Thank you for agreeing to be the decision maker for the FOI request from [REDACTED] The Guardian Australia. I am the FOI contact who will be assisting you.

The request was received on 14 May 2016 seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

Further, [REDACTED] provided the additional context in connection to his request:

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24130>

Proposed Decision

s. 22(1)(a)(ii)

The numbered attachments consist of documents provided to the Department from Broadspectrum and are documents that are relevant to your area. I have made an initial assessment under the FOI Act on these documents and this assessment is provided for your consideration. I have also consulted Broadspectrum on the proposed release of the documents.

Each document has been assessed to identify specific information that would cause harm in the following situations:

- the effective management and assessment of staff
- the effect to current operations where a contractor is providing services on behalf of the Department
- the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth
- the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology
- personal information of third parties and the redaction of contractor and departmental staff under s.22 as irrelevant material to the request

As a result the preliminary assessment is that:

- One (1) document should be exempt in full; and
- Two (2) documents should be released in part.

The following exemptions have been considered and applied:

- | | |
|--|--|
| · s.22(1)(a)(ii) | Irrelevant Material |
| · s.42(1) | Legal professional privilege |
| · s.47E(d)
operations of an agency | Substantial adverse effect on the |
| · s.47E(c)
management and assessment of personnel | Substantial adverse effect on the |
| · s.47F(1) | Personal Information |
| · s.47G(1)(a)
professional affairs | Unreasonable adverse effect on business or |

The information exempt is shown by the red boxes within the documents and will not be released to the applicant.

Released by DLE under the
Freedom of Information Act 1982

Third parties and consultations

The documents involve the business affairs of the Department's contractor Broadspectrum and their sub-contractor Wilson Security. These third parties were formally consulted under the FOI Act.

In their original submission (copy attached for your reference) Broadspectrum raised a claim for exemption under s.37 of the FOI Act (prejudice law enforcement methods), however this is not an exemption that is appropriate for a third party to claim. If there was cause to rely on an exemption under s.37 the Department would need to identify and apply this exemption. Further, they put forward a claim for exemption under s.47 of the FOI Act (documents disclosing trade secrets or commercially valuable information), this claim was considered however there was insufficient evidence to support the exemption. I have provided this advice to Broadspectrum with a copy of the proposed decision (copy of email attached for your reference), and invited them to provide any further supporting information should they wish to make further claims against the release of the documents in part.

They responded on 24 August 2016 with an additional claim to have specific information exempt from release (email attached for your reference). I have considered this against the exemptions of the FOI Act and find that the further recommendations would meet an exemption. In particular I considered the fact that the Wilson address is publicly listed however their advice that this address is not broadly known to include their immigration office and that to release this information would cause harm to their business affairs is acceptable. No further advice was provided by Broadspectrum.

In addition to the contractors the documents were created and provided by other third parties. I have not located any information in the public domain to identify that these third parties undertook work for a subcontractor of the Department, I have taken this into consideration along with the current environment and the media reporting on the boycotting of companies.

See: <https://www.getup.org.au/campaigns/media-releases/media-releases/media-releases-august-2016>

<https://www.theguardian.com/commentisfree/2015/nov/18/nows-the-time-to-boycott-companies-that-profit-from-detention>

<http://www.abc.net.au/news/2015-10-05/the-company-that-runs-offshore-detention-centres/6829412>

<http://www.abc.net.au/news/2015-09-24/bradley-transfield-and-detention-centres/6800448>

For this reason I consider that an exemption is available to protect the third parties business affairs. As an exemption to their business information has been applied it is not mandatory for the Department to consult these third parties. However, if you consider that they should be consulted please notify the FOI Section and we will arrange for a formal consultation letter to be issued.

Released by DILP under the
Freedom of Information Act 1982

Action required

Please review the attached documents, consider all relevant information when making a decision under the FOI Act (see below), including the HYPERLINK "<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/>" AIC guidelines and then:

: Advise if there are any changes to the proposed decision and preliminary assessment, including:

- o any additional exemptions that you are satisfied of, and to which specific parts of the documents those exemptions apply;
- o identify if you are not satisfied that an exemption has been met (in relation to those that have been considered and applied as part of the preliminary assessment)

OR

: if you are satisfied with the proposed decision please notify me and I will commence drafting a decision letter for your signature.

I am more than happy to meet with you to discuss anything that may not be clear. Your response by COB Monday 12 September 2016 would be appreciated.

Talking Points (TPs)

Please consider whether TPs are required, you may do this by consulting the Media Team at HYPERLINK "<mailto:media.border@gov.au>" media.border@gov.au.

You will need to notify the FOI Section whether TPs are being prepared or not. Where TPs are prepared and cleared by your Assistant Secretary, and Media, a final copy of the TPs will need to be provided to the FOI Section. This is because the TPs are attached to an email to the Minister's Office, advising of pending decisions and release of documents.

TPs can be returned electronically, via an email to the FOI inbox (HYPERLINK "<mailto:FOI@immi.gov.au>" FOI@immi.gov.au) addressed to attention: s. 22(1)(a)(ii). Alternatively, FOI can collect the hard copy from your area.

FOR INFORMATION ONLY

The FOI Act and the Australian Information Commissioner (AIC) guidelines

Released by DIBP under the
Freedom of Information Act 1982

As the authorised FOI decision maker, you must have regard to the Freedom of Information Act 1982 as well as the Information Commissioner's Guidelines.

I have included links to these for your reference.

· FOI Act: http://www.austlii.edu.au/au/legis/cth/consol_act/foia1982222/
· FOI guidelines: <http://www.oaic.gov.au/freedom-of-information/applying-the-foi-act/foi-guidelines/>

Notifying the Minister's Office

Following your agreement and clearance of the draft decision, the next step is for the department to notify the Minister's Office of the pending release of documents. The department provides the Minister's Office with three working days' notice, prior to the decision being finalised and sent to the applicant. Any Talking Points are also attached to the pending decision email.

Following the pending email, I will provide you with a final version of the decision letter to sign.

Please don't hesitate to call if you have any queries.

Kind Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

Released by DILP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJRCYE15]
To: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)]
Cc: s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)] s. 22(1)(a)(ii) [SMTP s. 22(1)(a)(ii)]
Sent: 13/9/2016 at 2:41 PM
Received: 13/9/2016 at 2:41 PM
Subject: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Attachments: s. 22(1)(a)(ii)

For-Official-Use-Only

For Action by Friday 16 September 2016

Our references: FA 16/05/01387; ADF2016/21290

Dear s. [REDACTED]

Please find attached the decision letter addressed to the applicant. Please note that pages 3-10 consist of the decision record and this is the part of the letter that requires your review and comments. You will see there is a section at the bottom of page 10 for you to insert your signature and the date of your decision.

Please notify me of any changes by Friday 16 September 2016.

Once the decision has been finalised and signed we can notify the Minister's Office and then issue the access decision. Talking Points will be required for the notification to the Minister's office unless you notify me that they are not necessary.

Happy to discuss

Regards

s. 22(1)(a)(ii) [REDACTED]

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii) [REDACTED]

s. 22(1)(a)(ii) [REDACTED]

Released by DIBP under the
Freedom of Information Act 1982

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Tuesday, 13 September 2016 10:46 AM
To: FOI
Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii)
Subject: RE: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]

Will do. Thanks

Sent from mobile phone

s. 22(1)(a)(ii)

-----Original Message-----

From: FOI
Sent: Tuesday, September 13, 2016 10:45 AM AUS Eastern Standard Time
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii)
Subject: RE: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s.

Thank you for your advice. I will prepare a draft decision letter for your review and completion.

Talking Points may be required for this FOI request can you please liaise with the Media Team on this requirement and let me know if they will be prepared. Media will likely need a copy of the documents with redactions marked to assist in making this assessment.

Regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group
Department of Immigration and Border Protection
P: s. 22(1)(a)(ii)
E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Monday, 12 September 2016 2:59 PM
To: FOI
Cc: s. 22(1)(a)(ii)
Subject: FW: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

For-Official-Use-Only

Hi there

Apologise for late response.

I agree with your assessment for all three documents:

- Document 1 be exempt in full
- Documents 2 and 3 be partially exempted.

Thanks.

s. 22(1)(a)(ii)

Acting Assistant Secretary

Services Management Branch|Detention Services Division
Support Group

Australian Border Force

P: s. 22(1)(a) |M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)"s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) [REDACTED]
Sent: Monday, 12 September 2016 12:34 PM
To: s. 22(1)(a)(ii) [REDACTED]
Cc: s. 22(1)(a)(ii) [REDACTED]
Subject: DUE TODAY: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

From: s. 22(1)(a)(ii) [REDACTED]
Sent: Monday, 12 September 2016 10:31 AM
To: s. 22(1)(a)(ii) [REDACTED]
Subject: DUE TODAY: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

From: s. 22(1)(a)(ii) [REDACTED]
Sent: Tuesday, 6 September 2016 8:28 AM
To: s. 22(1)(a)(ii) [REDACTED]
Subject: FW: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

-----Original Message-----

From: FOI
Sent: Tuesday, September 06, 2016 08:24 AM AUS Eastern Standard Time
To: s. 22(1)(a)(ii) [REDACTED]
Cc: s. 22(1)(a)(ii) [REDACTED]
Subject: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

For Action by Monday 12 September 2016

Our references: FA 16/05/01387; ADF2016/21290

Dear s. 22(1) [REDACTED]

Thank you for agreeing to be the decision maker for the FOI request from [REDACTED] The Guardian Australia. I am the FOI contact who will be assisting you

The request was received on 14 May 2016 seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

s. 22(1)(a)(ii) [REDACTED]

Released by DILP under the
Freedom of Information Act 1982

Further, [REDACTED] provided the additional context in connection to his request:

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>

Proposed Decision

The numbered attachments consist of documents provided to the Department from Broadspectrum and are documents that are relevant to your area. I have made an initial assessment under the FOI Act on these documents and this assessment is provided for your consideration. I have also consulted Broadspectrum on the proposed release of the documents.

Each document has been assessed to identify specific information that would cause harm in the following situations:

- the effective management and assessment of staff
- the effect to current operations where a contractor is providing services on behalf of the Department
- the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth
- the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology
- personal information of third parties and the redaction of contractor and departmental staff under s.22 as irrelevant material to the request

As a result the preliminary assessment is that:

- One (1) document should be exempt in full; and
- Two (2) documents should be released in part.

The following exemptions have been considered and applied:

·	s.22(1)(a)(ii)	Irrelevant Material
·	s.42(1)	Legal professional privilege
·	s.47E(d)	Substantial adverse effect on the operations of an agency
·	s.47E(c)	Substantial adverse effect on the management and assessment of personnel
·	s.47F(1)	Personal Information
·	s.47G(1)(a)	Unreasonable adverse effect on business or professional affairs

The information exempt is shown by the red boxes within the documents and will not be released to the applicant.

Third parties and consultations

The documents involve the business affairs of the Department's contractor Broadspectrum and their sub-contractor Wilson Security. These third parties were formally consulted under the FOI Act.

In their original submission (copy attached for your reference) Broadspectrum raised a claim for exemption under s.37 of the FOI Act (prejudice law enforcement methods), however this is not an exemption that is appropriate for a third party to claim. If there was cause to rely on an exemption under s.37 the Department would need to identify and apply this exemption. Further, they put forward a claim for exemption under s.47 of the FOI Act (documents disclosing trade secrets or commercially valuable information), this claim was considered however there was insufficient evidence to support the exemption. I have provided this advice to Broadspectrum with a copy of the proposed decision (copy of email attached for your reference), and invited them to provide any further supporting information should they wish to make further claims against the release of the documents in part.

They responded on 24 August 2016 with an additional claim to have specific information exempt from release (email attached for your reference). I have considered this against the exemptions of the FOI Act and find that the further recommendations would meet an exemption. In particular I considered the fact that the Wilson address is publicly listed however their advice that this address is not broadly known to include their immigration office and that to release this information would cause harm to their business affairs is acceptable. No further advice was provided by Broadspectrum.

In addition to the contractors the documents were created and provided by other third parties. I have not located any information in the public domain to identify that these third parties undertook work for a subcontractor of the Department, I have taken this into consideration along with the current environment and the media reporting on the boycotting of companies.

See: <https://www.getup.org.au/campaigns/media-releases/media-releases/media-releases-august-2016>

<https://www.theguardian.com/commentisfree/2015/nov/18/nows-the-time-to-boycott-companies-that-profit-from-detention>

<http://www.abc.net.au/news/2015-10-05/the-company-that-runs-offshore-detention-centres/6829412>

<http://www.abc.net.au/news/2015-09-24/bradley-transfield-and-detention-centres/6800448>

For this reason I consider that an exemption is available to protect the third parties business affairs. As an exemption to their business information has been applied it is not mandatory for the Department to consult these third parties. However, if you consider that they should be consulted please notify the FOI Section and we will arrange for a formal consultation letter to be issued.

Action required

Please review the attached documents, consider all relevant information when making a decision under the FOI Act (see below), including the HYPERLINK "<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/>" AIC guidelines and then:

· Advise if there are any changes to the proposed decision and preliminary assessment, including:

- o any additional exemptions that you are satisfied of, and to which specific parts of the documents those exemptions apply;
- o identify if you are not satisfied that an exemption has been met (in relation to those that have been considered and applied as part of the preliminary assessment)

OR

· if you are satisfied with the proposed decision please notify me and I will commence drafting a decision letter for your signature.

I am more than happy to meet with you to discuss anything that may not be clear. Your response by COB Monday 12 September 2016 would be appreciated.

Talking Points (TPs)

Please consider whether TPs are required, you may do this by consulting the Media Team at HYPERLINK "<mailto:media.border@gov.au>" media.border@gov.au.

You will need to notify the FOI Section whether TPs are being prepared or not. Where TPs are prepared and cleared by your Assistant Secretary, and Media, a

Released by DLE under the Freedom of Information Act 1982

final copy of the TPs will need to be provided to the FOI Section. This is because the TPs are attached to an email to the Minister's Office, advising of pending decisions and release of documents.

TPs can be returned electronically, via an email to the FOI inbox (HYPERLINK "mailto:FOI@immi.gov.au"FOI@immi.gov.au) addressed to attention: s. 22(1)(a)(ii) Alternatively, FOI can collect the hard copy from your area.

FOR INFORMATION ONLY

The FOI Act and the Australian Information Commissioner (AIC) guidelines

As the authorised FOI decision maker, you must have regard to the Freedom of Information Act 1982 as well as the Information Commissioner's Guidelines.

I have included links to these for your reference.

· FOI Act: http://www.austlii.edu.au/au/legis/cth/consol_act/foial982222/
· FOI guidelines: <http://www.oaic.gov.au/freedom-of-information/applying-the-foi-act/foi-guidelines/>

Notifying the Minister's Office

Following your agreement and clearance of the draft decision, the next step is for the department to notify the Minister's Office of the pending release of documents. The department provides the Minister's Office with three working days' notice, prior to the decision being finalised and sent to the applicant. Any Talking Points are also attached to the pending decision email.

Following the pending email, I will provide you with a final version of the decision letter to sign.

Please don't hesitate to call if you have any queries.

Kind Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

Released by DIEL under the
Freedom of Information Act 1982

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMM/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRHVCB61E]
To: FOI [SMTP:foi@border.gov.au]
Cc: s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) DSD Coordination [SMTP:dsd.coordination@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii) s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)
Sent: 21/9/2016 at 4:22 PM
Received: 21/9/2016 at 4:22 PM
Subject: RE: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Attention: s. 22(1)

In our view TPs are not required, as the material being released is self-explanatory. Media Operations has been consulted and agrees.

Kind regards.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK
 "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Wednesday, 21 September 2016 3:20 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) DSD Coordination; s. 22(1)(a)(ii); s. 22(1)(a)(ii)
Subject: RE: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

s. 22(1)(a)(ii)

Released by DIBP under the
 Freedom of Information Act 1982

Hi s. 22(1)

Thanks for the update, do you have any information on the status of the talking points, if these could be actioned then it will be a quick process for s. to finalise the letter once he returns to work.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Wednesday, 21 September 2016 2:51 PM

To: FOI

Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii) ; DSD Coordination; s. 22(1)(a)(ii) ; s. 22(1)(a)(ii)

Subject: RE: For Action: Draft FOI decision for your consideration - FA
16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Attention: s. 22(1)

Thank you for your email.

s. 22(1)(a)(ii) has been unwell for a few days. We have been playing it by ear each day, as s. is very familiar with this decision. s. was expected back this morning.

s. is now expected to return to work tomorrow. If still not in tomorrow, I shall 22(1) back in touch with you for the names of other decision makers in the division who may be able to assist.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

One alternative decision maker, s. 22(1)(a)(ii) has been off work for some time also.

Kind regards.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Wednesday, 21 September 2016 2:41 PM
To: FOI; s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii); s. 22(1)(a)(ii)
Subject: RE: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

For Action by Friday 23 September 2016

Our references: FA 16/05/01387; ADF2016/21290

Dear s.

The purpose of this email is to follow-up with you on the below access decision and to confirm if there are any changes required to the decision record. Please also update me on whether there will be talking points for this request and the status of those talking points.

The applicant contacted the section today and it would be great to get this one finalised.

s. 22(1)(a)(ii)

Happy to discuss anything that you are unsure of in the decision record.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Tuesday, 13 September 2016 1:42 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii); s. 22(1)(a)(ii)
Subject: For Action: Draft FOI decision for your consideration - FA 16/05/01387
[DLM=For-Official-Use-Only]

For-Official-Use-Only

For Action by Friday 16 September 2016

Our references: FA 16/05/01387; ADF2016/21290

Dear s.

Please find attached the decision letter addressed to the applicant. Please note that pages 3-10 consist of the decision record and this is the part of the letter that requires your review and comments. You will see there is a section at the bottom of page 10 for you to insert your signature and the date of your decision.

Please notify me of any changes by Friday 16 September 2016.

Once the decision has been finalised and signed we can notify the Minister's Office and then issue the access decision. Talking Points will be required for the notification to the Minister's office unless you notify me that they are not

s. 22(1)(a)(ii)

Released by DIFP under the
Freedom of Information Act 1982

necessary.

Happy to discuss

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Tuesday, 13 September 2016 10:46 AM

To: FOI

Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii)

Subject: RE: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]

Will do. Thanks

Sent from mobile phone

s. 22(1)(a)(ii)

-----Original Message-----

From: FOI

Sent: Tuesday, September 13, 2016 10:45 AM AUS Eastern Standard Time

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii)

Subject: RE: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Hi s. [REDACTED]

Thank you for your advice. I will prepare a draft decision letter for your review and completion.

Talking Points may be required for this FOI request can you please liaise with the Media Team on this requirement and let me know if they will be prepared. Media will likely need a copy of the documents with redactions marked to assist in making this assessment.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 12 September 2016 2:59 PM

To: FOI

Cc: s. 22(1)(a)(ii)

Subject: FW: DUE TODAY: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi there

Apologise for late response.

I agree with your assessment for all three documents:

- Document 1 be exempt in full

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

- Documents 2 and 3 be partially exempted.

Thanks.

s. 22(1)(a)(ii)

Acting Assistant Secretary

Services Management Branch|Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a) |M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 12 September 2016 12:34 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: DUE TODAY: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

From: s. 22(1)(a)(ii)

Sent: Monday, 12 September 2016 10:31 AM

To: s. 22(1)(a)(ii)

Subject: DUE TODAY: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

From: s. 22(1)(a)(ii)

Sent: Tuesday, 6 September 2016 8:28 AM

To: s. 22(1)(a)(ii)

Subject: FW: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

-----Original Message-----

From: FOI

Sent: Tuesday, September 06, 2016 08:24 AM AUS Eastern Standard Time

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

For Action by Monday 12 September 2016

s. 22(1)(a)(ii)

Our references: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)

Thank you for agreeing to be the decision maker for the FOI request from [REDACTED]
[REDACTED] The Guardian Australia. I am the FOI contact who will be assisting you.

The request was received on 14 May 2016 seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

Further, [REDACTED] provided the additional context in connection to his request:

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>

Proposed Decision

The numbered attachments consist of documents provided to the Department from Broadspectrum and are documents that are relevant to your area. I have made an initial assessment under the FOI Act on these documents and this assessment is provided for your consideration. I have also consulted Broadspectrum on the proposed release of the documents.

Each document has been assessed to identify specific information that would cause harm in the following situations:

- the effective management and assessment of staff
- the effect to current operations where a contractor is providing services on behalf of the Department
- the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth
- the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology

· personal information of third parties and the redaction of contractor and departmental staff under s.22 as irrelevant material to the request

As a result the preliminary assessment is that:

- One (1) document should be exempt in full; and
- Two (2) documents should be released in part.

The following exemptions have been considered and applied:

- s.22(1)(a)(ii) Irrelevant Material
- s.42(1) Legal professional privilege
- s.47E(d) Substantial adverse effect on the operations of an agency
- s.47E(c) Substantial adverse effect on the management and assessment of personnel
- s.47F(1) Personal Information
- s.47G(1)(a) Unreasonable adverse effect on business or professional affairs

The information exempt is shown by the red boxes within the documents and will not be released to the applicant.

Third parties and consultations

The documents involve the business affairs of the Department's contractor Broadspectrum and their sub-contractor Wilson Security. These third parties were formally consulted under the FOI Act.

In their original submission (copy attached for your reference) Broadspectrum raised a claim for exemption under s.37 of the FOI Act (prejudice law enforcement methods), however this is not an exemption that is appropriate for a third party to claim. If there was cause to rely on an exemption under s.37 the Department would need to identify and apply this exemption. Further, they put forward a claim for exemption under s.47 of the FOI Act (documents disclosing trade secrets or commercially valuable information), this claim was considered however there was insufficient evidence to support the exemption. I have provided this advice to Broadspectrum with a copy of the proposed decision (copy of email attached for your reference), and invited them to provide any further supporting information should they wish to make further claims against the release of the documents in part.

Released by DLE under the Freedom of Information Act 1982

They responded on 24 August 2016 with an additional claim to have specific information exempt from release (email attached for your reference). I have considered this against the exemptions of the FOI Act and find that the further recommendations would meet an exemption. In particular I considered the fact that the Wilson address is publicly listed however their advice that this address is not broadly known to include their immigration office and that to release this information would cause harm to their business affairs is acceptable. No further advice was provided by Broadspectrum.

In addition to the contractors the documents were created and provided by other third parties. I have not located any information in the public domain to identify that these third parties undertook work for a subcontractor of the Department, I have taken this into consideration along with the current environment and the media reporting on the boycotting of companies.

See: <https://www.getup.org.au/campaigns/media-releases/media-releases/media-releases-august-2016>

<https://www.theguardian.com/commentisfree/2015/nov/18/nows-the-time-to-boycott-companies-that-profit-from-detention>

<http://www.abc.net.au/news/2015-10-05/the-company-that-runs-offshore-detention-centres/6829412>

<http://www.abc.net.au/news/2015-09-24/bradley-transfield-and-detention-centres/6800448>

For this reason I consider that an exemption is available to protect the third parties business affairs. As an exemption to their business information has been applied it is not mandatory for the Department to consult these third parties. However, if you consider that they should be consulted please notify the FOI Section and we will arrange for a formal consultation letter to be issued.

Action required

Please review the attached documents, consider all relevant information when making a decision under the FOI Act (see below), including the HYPERLINK "<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/>" AIC guidelines and then:

· Advise if there are any changes to the proposed decision and preliminary assessment, including:

- o any additional exemptions that you are satisfied of, and to which specific parts of the documents those exemptions apply;
- o identify if you are not satisfied that an exemption has been met (in relation to those that have been considered and applied as part of the preliminary assessment)

OR

Released by DLE under the
Freedom of Information Act 1982

· if you are satisfied with the proposed decision please notify me and I will commence drafting a decision letter for your signature.

I am more than happy to meet with you to discuss anything that may not be clear. Your response by COB Monday 12 September 2016 would be appreciated.

Talking Points (TPs)

Please consider whether TPs are required, you may do this by consulting the Media Team at HYPERLINK "mailto:media.border@gov.au"media.border@gov.au.

You will need to notify the FOI Section whether TPs are being prepared or not. Where TPs are prepared and cleared by your Assistant Secretary, and Media, a final copy of the TPs will need to be provided to the FOI Section. This is because the TPs are attached to an email to the Minister's Office, advising of pending decisions and release of documents.

TPs can be returned electronically, via an email to the FOI inbox (HYPERLINK "mailto:FOI@immi.gov.au"FOI@immi.gov.au) addressed to attention: s. 22(1)(a)(ii) Alternatively, FOI can collect the hard copy from your area.

FOR INFORMATION ONLY

The FOI Act and the Australian Information Commissioner (AIC) guidelines

As the authorised FOI decision maker, you must have regard to the Freedom of Information Act 1982 as well as the Information Commissioner's Guidelines.

I have included links to these for your reference.

· FOI Act: http://www.austlii.edu.au/au/legis/cth/consol_act/foia1982222/

· FOI guidelines: <http://www.oaic.gov.au/freedom-of-information/applying-the-foi-act/foi-guidelines/>

Notifying the Minister's Office

Following your agreement and clearance of the draft decision, the next step is for the department to notify the Minister's Office of the pending release of documents. The department provides the Minister's Office with three working days' notice, prior to the decision being finalised and sent to the applicant. Any Talking Points are also attached to the pending decision email.

Following the pending email, I will provide you with a final version of the decision letter to sign.

Please don't hesitate to call if you have any queries.

Kind Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

Released by DILP under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

E-mail Message

From: s. 22(1)(a)(ii) [EX:/O=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PRJRCYE15]
To: s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
Cc: DSD Coordination [SMTP:dsd.coordination@border.gov.au], RPC Service Delivery [SMTP:rpc.service.delivery@border.gov.au], s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
Sent: 22/9/2016 at 12:23 PM
Received: 22/9/2016 at 12:23 PM
Subject: RE: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Thanks s. 22(1)

I will prepare the FOI Alert which provides three days notice of the release to the MO.

Please notify Broadspectrum that there additional recommendations have been adopted and a decision is due to be issued on Tuesday 27 September 2016.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)
Sent: Thursday, 22 September 2016 10:26 AM
To: FOI
Cc: s. 22(1)(a)(ii); DSD Coordination; RPC Service Delivery; s. 22(1)(a)(ii)
Subject: RE: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]
Importance: High

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

For-Official-Use-Only

Attention: s. 22(1)

Let me know when the decision is going to [REDACTED] and I shall inform Broadspectrum.

If you do this as a matter of course, that's fine too.

Many thanks.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK
"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Thursday, 22 September 2016 10:15 AM

To: FOI

Cc: s. 22(1)(a)(ii); s. 22(1)(a)(ii); DSD Coordination; s. 22(1)(a)(ii); RPC Service Delivery; s. 22(1)(a)(ii)

Subject: FW: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Attention: s. 22(1)

Final version and signed decision letter are attached.

s. 22(1)(a)(ii)

Released by DLE under the
Freedom of Information Act 1982

Kind regards.

s. 22(1)

s. 22(1)(a)(ii)

DSD Coordination and Scrutiny Section

Services Management Branch | Detention Services Division

Support Group

Australian Border Force

p: s. 22(1)(a)(ii) ws: s. 22(1)(a)(ii)

e: HYPERLINK

"mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI

Sent: Wednesday, 21 September 2016 2:41 PM

To: FOI; s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: For Action: Draft FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

For Action by Friday 23 September 2016

Our references: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)(a)(ii)

The purpose of this email is to follow-up with you on the below access decision and to confirm if there are any changes required to the decision record. Please also update me on whether there will be talking points for this request and the status of those talking points.

The applicant contacted the section today and it would be great to get this one finalised.

Happy to discuss anything that you are unsure of in the decision record.

s. 22(1)(a)(ii)

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

For-Official-Use-Only

From: s. 22(1)(a)(ii) On Behalf Of FOI
Sent: Tuesday, 13 September 2016 1:42 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: For Action: Draft FOI decision for your consideration - FA 16/05/01387
[DLM=For-Official-Use-Only]

For-Official-Use-Only

For Action by Friday 16 September 2016

Our references: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)(a)(ii)

Please find attached the decision letter addressed to the applicant. Please note that pages 3-10 consist of the decision record and this is the part of the letter that requires your review and comments. You will see there is a section at the bottom of page 10 for you to insert your signature and the date of your decision.

Please notify me of any changes by Friday 16 September 2016.

Once the decision has been finalised and signed we can notify the Minister's Office and then issue the access decision. Talking Points will be required for the notification to the Minister's office unless you notify me that they are not necessary.

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Happy to discuss

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Tuesday, 13 September 2016 10:46 AM

To: FOI

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]

Will do. Thanks

Sent from mobile phone

s. 22(1)(a)(ii)

-----Original Message-----

From: FOI

Sent: Tuesday, September 13, 2016 10:45 AM AUS Eastern Standard Time

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Subject: RE: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

Thank you for your advice. I will prepare a draft decision letter for your review and completion.

Talking Points may be required for this FOI request can you please liaise with the Media Team on this requirement and let me know if they will be prepared. Media will likely need a copy of the documents with redactions marked to assist in making this assessment.

Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section
Information Management Branch | Corporate Services Division
Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 12 September 2016 2:59 PM

To: FOI

Cc: s. 22(1)(a)(ii)

Subject: FW: DUE TODAY: For Action: Proposed FOI decision for your consideration
- FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

For-Official-Use-Only

Hi there

Apologise for late response.

I agree with your assessment for all three documents:

- Document 1 be exempt in full

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

- Documents 2 and 3 be partially exempted.

Thanks.

s. 22(1)(a)(ii)

Acting Assistant Secretary

Services Management Branch|Detention Services Division

Support Group

Australian Border Force

P: s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:s. 22(1)(a)(ii)

For-Official-Use-Only

From: s. 22(1)(a)(ii)

Sent: Monday, 12 September 2016 12:34 PM

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: DUE TODAY: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

From: s. 22(1)(a)(ii)

Sent: Monday, 12 September 2016 10:31 AM

To: s. 22(1)(a)(ii)

Subject: DUE TODAY: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

Importance: High

From: s. 22(1)(a)(ii)

Sent: Tuesday, 6 September 2016 8:28 AM

To: s. 22(1)(a)(ii)

Subject: FW: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

-----Original Message-----

From: FOI

Sent: Tuesday, September 06, 2016 08:24 AM AUS Eastern Standard Time

To: s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: For Action: Proposed FOI decision for your consideration - FA 16/05/01387 [DLM=For-Official-Use-Only]

For-Official-Use-Only

For Action by Monday 12 September 2016

s. 22(1)(a)(ii)

Our references: FA 16/05/01387; ADF2016/21290

Dear s. 22(1)(a)(ii)

Thank you for agreeing to be the decision maker for the FOI request from [REDACTED]
[REDACTED] The Guardian Australia. I am the FOI contact who will be assisting you.

The request was received on 14 May 2016 seeking access to:

All review and investigation files from the company commissioned by Wilson Security to examine the handling of staff misconduct claims.

Further, [REDACTED] provided the additional context in connection to his request:

I note that this company is referenced in Wilson Security's submission to the Nauru Senate inquiry in 2015 at page 3 of response of its response dated August 2015 2015.

"We have recently engaged an independent company to review all investigations involving staff misconduct at the Regional Processing Centre."

<http://www.aph.gov.au/DocumentStore.ashx?id=b6d0ff91-5524-42d8-85ff-2b093fb24133>

Proposed Decision

The numbered attachments consist of documents provided to the Department from Broadspectrum and are documents that are relevant to your area. I have made an initial assessment under the FOI Act on these documents and this assessment is provided for your consideration. I have also consulted Broadspectrum on the proposed release of the documents.

Each document has been assessed to identify specific information that would cause harm in the following situations:

- the effective management and assessment of staff
- the effect to current operations where a contractor is providing services on behalf of the Department
- the business affairs of Wilson Security in managing staff within their employment, and possible breaches to a law of the Commonwealth
- the business affairs of the third party companies who conducted the investigations and provided the reports, including information that could reveal investigation methodology

· personal information of third parties and the redaction of contractor and departmental staff under s.22 as irrelevant material to the request

As a result the preliminary assessment is that:

- One (1) document should be exempt in full; and
- Two (2) documents should be released in part.

The following exemptions have been considered and applied:

- s.22(1)(a)(ii) Irrelevant Material
- s.42(1) Legal professional privilege
- s.47E(d) Substantial adverse effect on the operations of an agency
- s.47E(c) Substantial adverse effect on the management and assessment of personnel
- s.47F(1) Personal Information
- s.47G(1)(a) Unreasonable adverse effect on business or professional affairs

The information exempt is shown by the red boxes within the documents and will not be released to the applicant.

Third parties and consultations

The documents involve the business affairs of the Department's contractor Broadspectrum and their sub-contractor Wilson Security. These third parties were formally consulted under the FOI Act.

In their original submission (copy attached for your reference) Broadspectrum raised a claim for exemption under s.37 of the FOI Act (prejudice law enforcement methods), however this is not an exemption that is appropriate for a third party to claim. If there was cause to rely on an exemption under s.37 the Department would need to identify and apply this exemption. Further, they put forward a claim for exemption under s.47 of the FOI Act (documents disclosing trade secrets or commercially valuable information), this claim was considered however there was insufficient evidence to support the exemption. I have provided this advice to Broadspectrum with a copy of the proposed decision (copy of email attached for your reference), and invited them to provide any further supporting information should they wish to make further claims against the release of the documents in part.

Released by D.E. under the
Freedom of Information Act 1982

They responded on 24 August 2016 with an additional claim to have specific information exempt from release (email attached for your reference). I have considered this against the exemptions of the FOI Act and find that the further recommendations would meet an exemption. In particular I considered the fact that the Wilson address is publicly listed however their advice that this address is not broadly known to include their immigration office and that to release this information would cause harm to their business affairs is acceptable. No further advice was provided by Broadspectrum.

In addition to the contractors the documents were created and provided by other third parties. I have not located any information in the public domain to identify that these third parties undertook work for a subcontractor of the Department, I have taken this into consideration along with the current environment and the media reporting on the boycotting of companies.

See: <https://www.getup.org.au/campaigns/media-releases/media-releases/media-releases-august-2016>

<https://www.theguardian.com/commentisfree/2015/nov/18/nows-the-time-to-boycott-companies-that-profit-from-detention>

<http://www.abc.net.au/news/2015-10-05/the-company-that-runs-offshore-detention-centres/6829412>

<http://www.abc.net.au/news/2015-09-24/bradley-transfield-and-detention-centres/6800448>

For this reason I consider that an exemption is available to protect the third parties business affairs. As an exemption to their business information has been applied it is not mandatory for the Department to consult these third parties. However, if you consider that they should be consulted please notify the FOI Section and we will arrange for a formal consultation letter to be issued.

Action required

Please review the attached documents, consider all relevant information when making a decision under the FOI Act (see below), including the HYPERLINK "<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/>" AIC guidelines and then:

· Advise if there are any changes to the proposed decision and preliminary assessment, including:

- o any additional exemptions that you are satisfied of, and to which specific parts of the documents those exemptions apply;
- o identify if you are not satisfied that an exemption has been met (in relation to those that have been considered and applied as part of the preliminary assessment)

OR

Released by DLP under the
Freedom of Information Act 1982

· if you are satisfied with the proposed decision please notify me and I will commence drafting a decision letter for your signature.

I am more than happy to meet with you to discuss anything that may not be clear. Your response by COB Monday 12 September 2016 would be appreciated.

Talking Points (TPs)

Please consider whether TPs are required, you may do this by consulting the Media Team at HYPERLINK "mailto:media.border@gov.au"media.border@gov.au.

You will need to notify the FOI Section whether TPs are being prepared or not. Where TPs are prepared and cleared by your Assistant Secretary, and Media, a final copy of the TPs will need to be provided to the FOI Section. This is because the TPs are attached to an email to the Minister's Office, advising of pending decisions and release of documents.

TPs can be returned electronically, via an email to the FOI inbox (HYPERLINK "mailto:FOI@immi.gov.au"FOI@immi.gov.au) addressed to attention: s. 22(1)(a)(ii) Alternatively, FOI can collect the hard copy from your area.

FOR INFORMATION ONLY

The FOI Act and the Australian Information Commissioner (AIC) guidelines

As the authorised FOI decision maker, you must have regard to the Freedom of Information Act 1982 as well as the Information Commissioner's Guidelines.

I have included links to these for your reference.

· FOI Act: http://www.austlii.edu.au/au/legis/cth/consol_act/foia1982222/

· FOI guidelines: <http://www.oaic.gov.au/freedom-of-information/applying-the-foi-act/foi-guidelines/>

Notifying the Minister's Office

Following your agreement and clearance of the draft decision, the next step is for the department to notify the Minister's Office of the pending release of documents. The department provides the Minister's Office with three working days notice, prior to the decision being finalised and sent to the applicant. Any Talking Points are also attached to the pending decision email.

Following the pending email, I will provide you with a final version of the

decision letter to sign.

Please don't hesitate to call if you have any queries.

Kind Regards

s. 22(1)(a)(ii)

Assistant Director | Freedom of Information Section

Information Management Branch | Corporate Services Division

Corporate Group

Department of Immigration and Border Protection

P: s. 22(1)(a)(ii)

E: HYPERLINK "mailto:foi@border.gov.au"foi@border.gov.au

Please note I am out of the office from 2:30 PM

For-Official-Use-Only

Released by DIEL under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)

From	s. 22(1)(a)(ii) IFX IC=IMMI/OU=EXCHANGE ADMINISTRATIVE GROUP (FYD BOHF23SPDLT)/CN=REC PIENTS/CN=PRI/RC14611
To	Paul D FARRELL [SMTP:paul.d.farell@border.gov.au]
Cc	John WISEMAN [SMTP:john.wiseman@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], [SMTP:s. 22(1)(a)(ii)] DLO [SMTP:dlo@border.gov.au], Media Operations [SMTP:media@border.gov.au], Jill CHARKER [SMTP:JILL.CHARKER@BORDER.GOV.AU], Strategic Issue Management [SMTP:sim@border.gov.au], David SEALE [SMTP:david.seale@border.gov.au], Ben WRIGHT [SMTP:BEN.WRIGHT@BORDER.GOV.AU], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], Linda GEDDES [SMTP:linda.geddes@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], Susan MATHEW [SMTP:susan.matthew@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], J. s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], J. s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], Jenett CONNELL [SMTP:jenett.connell@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], David NOCKELS [SMTP:david.nockels@border.gov.au], Jim WILLIAMS [SMTP:jim.williams@border.gov.au], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)], J. s. 22(1)(a)(ii) [SMTP:s. 22(1)(a)(ii)]
Sent	22/9/2016 at 2:12 PM
Received	22/9/2016 at 2:12 PM
Subject	FOI Alert - Pending FOI decision - [REDACTED] The Guardian Australia - FA 16/05/01387 [DLM=For-Official-Use-Only]
Attachments	s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Released by DIBP under the
Freedom of Information Act 1982

In accordance with the requirements of section 11C of the FOI Act, the Department is required to publish details of information released under the FOI Act within ten working days of receipt of the documents by the applicant. The Department's FOI Disclosure Log is updated every Friday. It is anticipated that the released documents will be publicly available on Friday, 7 October 2016.

If you have any questions in relation to the FOI processes please do not hesitate to contact me.

Regards

s. 22(1)(a)(ii)

Director

Freedom of Information Section
Department of Immigration and Border Protection
Telephone: s. 22(1)(a)(ii)

Email: HYPERLINK "mailto:FOI@border.gov.au"FOI@border.gov.au

For-Official-Use-Only

Released by DLE, under the
Freedom of Information Act 1982

s. 22(1)(a)(ii)