



10 December 2018



**In reply please quote:**

FOI Request: FA 18/07/01323  
File Number: ADF2018/164598

Dear 

**Freedom of Information (FOI) request - Access Decision**

On 26 July 2018, the Department of Home Affairs (the Department) received a request for access to document under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

**1 Scope of request**

You have requested access to the following document:

*Number of undecided Citizenship Applications for the following periods:*

- 1. How many undecided received Citizenship applications as at 30/06/2015?*
- 2. How many undecided received Citizenship applications as at 30/06/2016?*
- 3. How many undecided received Citizenship applications as at 30/06/2017?*
- 4. How many undecided received Citizenship applications as at 30/06/2018?*

*Number of employed personnel for the processing of Citizenship Applications including Senior Staff for the following periods:*

- 5. How many Citizenship staff personnel were employed whether on temporary, ongoing or casual basis, whether fulltime or part time basis for the financial year 01/07/2014 to 30/06/2015?*
- 6. How many Citizenship staff personnel were employed whether on temporary, ongoing or casual basis, whether fulltime or part time basis for the financial year 01/07/2015 to 30/06/2016?*

7. *How many Citizenship staff personnel were employed whether on temporary, ongoing or casual basis, whether fulltime or part time basis for the financial year 01/07/2016 to 30/06/2017?*

8. *How many Citizenship staff personnel were employed whether on temporary, ongoing or casual basis, whether fulltime or part time basis for the financial year 01/07/2017 to 30/06/2018?*

*Allocated and Expended budget for the Citizenship Section of the Department for the following periods:*

9. *How much was the total allocated budget for the Citizenship Section of the Department of Home Affairs (DHA) and the then Department of Immigration and Border Protection (DIBP) for the financial year 01/07/2014 to 30/06/2015?*

10. *How much was the total expenditure of the Citizenship Section of the DHA and the then DIBP for the financial year 01/07/2014 to 30/06/2015?*

11. *How much was the total allocated budget for the Citizenship Section of the Department of Home Affairs (DHA) and the then Department of Immigration and Border Protection (DIBP) for the financial year 01/07/2015 to 30/06/2016?*

12. *How much was the total expenditure of the Citizenship Section of the DHA and the then DIBP for the financial year 01/07/2015 to 30/06/2016?*

13. *How much was the total allocated budget for the Citizenship Section of the Department of Home Affairs (DHA) and the then Department of Immigration and Border Protection (DIBP) for the financial year 01/07/2016 to 30/06/2017?*

14. *How much was the total expenditure of the Citizenship Section of the DHA and the then DIBP for the financial year 01/07/2016 to 30/06/2017?*

15. *How much was the total allocated budget for the Citizenship Section of the Department of Home Affairs (DHA) and the then Department of Immigration and Border Protection (DIBP) for the financial year 01/07/2017 to 30/06/2018?*

16. *How much was the total expenditure of the Citizenship Section of the DHA and the then DIBP for the financial year 01/07/2017 to 30/06/2018?*

## **2 Authority to make decision**

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

## **3 Relevant material**

In reaching my decision I referred to the following:

- the terms of your request
- the document relevant to the request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines) and

- advice from Departmental officers with responsibility for matters relating to the document to which you sought access.

#### **4 Document in scope of request**

The Department has identified six documents as falling within the scope of your request. These documents were in the possession of the Department on 26 July 2018 when your request was received.

**Attachment A** is a schedule which describes the relevant document and sets out my decision in relation to each of them.

#### **5 Decision**

The decision in relation to the documents in the possession of the Department which fall within the scope of your request is as follows:

- Release one document in full; and
- Exempt five documents in full.

#### **6 Reasons for Decision**

Where the schedule of documents indicates an exemption claim has been applied to a document or part of document, my findings of fact and reasons for deciding that the exemption provision applies to that information are set out below.

##### **6.1 Section 47E of the FOI Act – Operations of Agencies**

Section 47E(d) of the FOI Act provides that documents are conditionally exempt if disclosure would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

I consider that the disclosure of documents of parts 5 to 16 of your request marked 's47E(d)' would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of the Department. I have considered that there would be an adverse effect on the operations of the Department if this information was to be released affecting the integrity of the citizenship program, including its operations and functions related to expenditure and budgetary information that it would be harmful for the Department to release. I consider release of this information pertains to specific operations conducted by the Department and the release of this information would likely result in considerable damage to the way in which such operations are managed.

I have therefore decided that parts 5 to 16 are conditionally exempt under section 47E(d) of the FOI Act. Access to a conditionally exempt document must generally be given unless it would be contrary to the public interest to do so. I have turned my mind to whether disclosure of the information would be contrary to the public interest, and have included my reasoning in that regard below.

##### **6.2 The public interest – section 11A of the FOI Act**

As I have decided that parts of the document are conditionally exempt, I am now required to consider whether access to the conditionally exempt information would be contrary to the public interest (section 11A of the FOI Act).

A part of a document which is conditionally exempt must also meet the public interest test in section 11A(5) before an exemption may be claimed in respect of that part.

In summary, the test is whether access to the conditionally exempt part of the document would be, on balance, contrary to the public interest.

In applying this test, I have noted the objects of the FOI Act and the importance of the other factors listed in section 11B(3) of the FOI Act, being whether access to the document would do any of the following:

- (a) promote the objects of this Act (including all the matters set out in sections 3 and 3A);
- (b) inform debate on a matter of public importance;
- (c) promote effective oversight of public expenditure;
- (d) allow a person to access his or her own personal information.

Having regard to the above:

- I am satisfied that access to the document would promote the objects of the FOI Act.
- I consider that the subject matter of the document does not seem to have the character of public importance. The matter has a very limited scope and, in my view, would be of interest to a very narrow section of the public.
- I consider that no insights into public expenditure will be provided through examination of the document.
- I am satisfied that you do not require access to the document in order to access your own personal information.

Disclosure of the document would not provide a person with sufficient information to assess the rigour or efficiencies of internal decision making processes within the Department, promote scrutiny of government decision making or reveal the reasoning for a government decision. I consider these considerations as neutral.

I have also considered the factors that weigh against the release of the conditionally exempt information in the document:

- I consider that the disclosure of parts of documents that are conditionally exempt under section 47E(d) of the FOI Act could reasonably be expected to prejudice the efficient conduct of the operations of the Department. I consider there to be a strong public interest in ensuring the ability of the Department to conduct functions in a way so that they are not compromised or prejudiced in any way. I consider that this factor weighs heavily against disclosure.

I have also had regard to section 11B(4) which sets out the factors which are irrelevant to my decision, which are:

- a) access to the document could result in embarrassment to the Commonwealth Government, or cause a loss of confidence in the Commonwealth Government;
- b) access to the document could result in any person misinterpreting or misunderstanding the document;
- c) the author of the document was (or is) of high seniority in the agency to which the request for access to the document was made;

d) access to the document could result in confusion or unnecessary debate.

I have not taken into account any of those factors in this decision.

Upon balancing all of the above relevant public interest considerations, I have concluded that the disclosure of the conditionally exempt information in the documents is not in the public interest and therefore exempt from disclosure under the FOI Act.

## **7 Legislation**

A copy of the FOI Act is available at <https://www.legislation.gov.au/Details/C2017C00251>. If you are unable to access the legislation through this website, please contact our office for a copy.

## **8 Your Review Rights**

### Internal Review

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

Applications for review should be sent to:

By email to: [foi.reviews@homeaffairs.gov.au](mailto:foi.reviews@homeaffairs.gov.au)

OR

By mail to:  
Freedom of Information Section  
PO Box 25  
BELCONNEN ACT 2617

### Review by the Office of the Australian Information Commissioner

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

## **9 Making a Complaint**

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

Your enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)  
Email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

There is no particular form required to make a complaint to the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it

is considered that the action taken in relation to the request should be investigated and identify the Department of Home Affairs as the relevant agency.

## 10 Contacting the FOI Section

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au)

*Signed electronically*

  
Authorised Decision Maker  
**Department of Home Affairs**

**ATTACHMENT A**

**SCHEDULE OF DOCUMENTS  
REQUEST UNDER FREEDOM OF INFORMATION ACT 1982**

**FOI request:** FA 18/07/01323

**File Number:** ADF2018/164598

No.	Date of document	No. of pages	Description	Decision on release	
1.	n/a	1	Citizenship applications for FY 2015, 2016, 2017, 2018	Release in full	n/a
2.	2015/16/17	18	Citizenship FTE Reports 2015/16/17 and Forecast vs Budget – 2015/16/17.	Exempt in full	47E(d)
3.	30 July 2018	2	Citizenship FTE Report June 2015	Exempt in full	47E(d)
4.	30 July 2018	2	Citizenship FTE Report June 2016	Exempt in full	47E(d)
5.	30 July 2018	2	Citizenship FTE Report June 2017	Exempt in full	47E(d)
6.	1 August 2018	1	Budget allocation/expenditure/staffing levels.	Exempt in full	47E(d)