



15 August 2019

In reply please quote:

FOI Request: FA 19/02/01524

File Number: OBJ2019/9841

Dear [REDACTED]

Freedom of Information (FOI) request - Access Decision

On 27 February 2019, the Department of Home Affairs (the Department) received a request for access to documents 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 documents:

Reports, Senate Estimates Briefings, ministerial/departmental briefings and attachments, internal correspondence (in relation to latter please limit to the Department Secretary), related AV material, in relation to:

1. The number of visitors on either:

- a. student visas*
- b. working holidaymaker visas*
- c. bridging visas or*
- d. s457 visas*

who have been discovered or believed to have engaged in prostitution activity while in Australia each year for the last three years. Information about the cancellation of visas because of prostitution related activity would be useful in fulfilling this aspect of my request.

Relevant data for the past three financial years 2016/17, 2017/18 and 2018/19 to date.

- 2. The number of applications received each year by Immigration for any of the already mentioned visas classes where the purpose of the visit is prostitution, escort or massage related activity. I am interested in the annual statistics on this issue for the last three years.*

Relevant data for the past three financial years 2016/17, 2017/18, and 2018/19 to date.

3. Any report to senior management and/or the minister's office produced in the last two years about the extent and use of either

- a. student visas*
- b. working holidaymaker visas*
- c. bridging visas or*
- d. s457 visas*

for the transport and employment of prostitutes and sex workers in Australia.

Relevant data for 1 July 2017 to 27 February, 2019.

If the document refers to any AV material, including CCTV/video/body-worn camera/mobile phone footage, audio or photos and they're not attached to that document, please include and undertake additional searches and provide copies of that with personal information such as faces blurred/pixelated.

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 documents or to amend or annotate records.

3 Relevant material

In reaching my decision I referred to the following:

- the terms of your request
- the documents 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)
- advice from Departmental officers with responsibility for matters relating to the documents to which you sought access

4 Documents in scope of request

In accordance with section 17 of the FOI Act, the Department has used its computer system to produce two documents that contains information that falls within the scope of parts 1 and 2 of your request. The data produced in these documents existed in the possession of the Department on 27 February 2019 when your FOI request was received.

In relation to part 3 of your request, you have requested access to any report to senior management and/or the Minister's Office produced in the last two years about the extent and use of student visas, working holidaymaker visas, bridging visas or subclass 457 visas for the transport and employment of prostitutes and sex workers in Australia from 1 July 2017 to 27 February 2019. The document relevant to this part of your request was released to you under the FOI Act on 18 October 2017 and is published on the Department's [disclosure log](#) under reference FA 17/07/00862. There have been no additional reports to senior management and/or the Minister's Office relating to these matters since the date of your last FOI request on 25 July 2017.

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 two documents in full

6 Legislation

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

7 Your Review Rights

Internal Review

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

Applications for review should be sent to:

By email to: foi.reviews@homeaffairs.gov.au

OR

By mail to:
Freedom of Information Section
Department of Home Affairs
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 <https://www.oaic.gov.au/freedom-of-information/foi-review-process>.

8 Making a Complaint

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

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

Phone 1300 363 992 (local call charge)

Email enquiries@oaic.gov.au

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

9 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.



**Authorised Decision Maker
Department of Home Affairs**