



- Immigration Programs
- International Policy
- People & Culture
- Data Division
- Strategy & Law Enforcement
- Electronic Surveillance Reform Taskforce
- Aviation and Maritime Security
- Law Enforcement Policy
- Strategy
- Social Cohesion & Citizenship
- Counter-Terrorism
- Counter Foreign Interference
- Immigration and Settlement Services
- Immigration Integrity, Assurance and Policy
- Refugee Humanitarian & Settlement
- Immigration Integrity and Community Protection
- Service Delivery and Transformation
- Global Business and Talent Attraction Taskforce
- Migrant Services Coordinator-General
- National Resilience and Cyber Security
- Maritime Border Command
- Regional Processing and Resettlement Taskforce
- Cyber, Digital and Technology
- Identity and Biometrics
- Technology and Major Capability
- Critical Infrastructure Security
- Intelligence Capability
- Emergency Management and Coordination
- Office of the Minister for Home Affairs

The following external stakeholders consulted during the making of this decision:

- Australian Federal Police
- ASIO
- AUSTRAC
- Australian Criminal Intelligence Commission
- Office of the Special Investigator

#### **Publication of the documents authorised for release**

Documents released must be published in accordance with section 8(2)(g) of the FOI Act.

Documents are published on the Department's website [here](#).

#### **Further Information**

- Media Operations has Talking Points in relation to this request.

If you have any questions in relation to the FOI processes please do not hesitate to contact me.

Kind regards

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

Acting Director | Freedom of Information  
Freedom of Information & Records Management Branch | Data Division  
Strategy & Law Enforcement Group  
Department of Home Affairs

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

E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

cid:image002.jpg@01D5EBC3.8AA4E4B0



**OFFICIAL**

Released by Department of Home Affairs  
under the *Freedom of Information Act 1982*

From: s. 22(1)(a)(ii)  
To: FOI  
Cc: Media Operations; ABF Media; s. 22(1)(a)(ii)  
Subject: RE: FOI request FA 21/04/00859 - s. 47F(1) - decision documents for signature [SEC=OFFICIAL]  
Date: Friday, 9 July 2021 12:46:23 PM  
Attachments: Decision record - FA 210400859 - signed.pdf

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**OFFICIAL**

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

Please find the signed letter attached.

Kind regards,

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

A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs

P: (02) s. 22(1)(a)(ii) | s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

**OFFICIAL**

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**From:** FOI  
**Sent:** Friday, 9 July 2021 12:12 PM  
**To:** s. 22(1)(a)(ii)  
**Cc:** FOI ; Media Operations ; ABF Media  
**Subject:** FOI request FA 21/04/00859 - s. 47F(1) - decision documents for signature [SEC=OFFICIAL]

**OFFICIAL**

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

I refer to FOI request FA 21/04/00859 received from s. 47F(1) seeking access to the following:

*The Incoming Ministerial Briefs (or Incoming Government Briefs) provided to Ministers Andrews and Hawke upon their appointment to the roles of Minister for Home Affairs and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, respectively*

The Department has identified two documents as falling within the scope of this request. (Note: the IMB for Minister Alex Hawke is publicly available and has been excluded from the request, as explained in the decision letter.)

We have assessed the documents under the FOI Act, and I am proposing to:

- Exempt two documents in part.

The documents as with mark-ups are **attached**.

I have drafted a decision record for your consideration, **attached**.

If you are satisfied that the decision meets the element of the request, would you please: print the decision, sign, scan and return to the FOI Section at: [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au). Alternatively, you can approve the decision by email and I can insert "electronically signed" for you.

Notes:

- The minimum requirement for a valid decision is the decision maker's first name and position number.

- I have made some minor changes for the sake of internal consistency and consistency with the previous FOI for Minister Hawke's IMB.
- New exemptions are marked in purple boxes:

Volume 2 page 90: this was redacted from Hawke's IMB so I have replicated it here.

Volume 2 page 106: redacted in line with MO s. 22(1)(a)(ii) suggestion

ABF Fact Book page 49: even though ABF Governance approved 'release in full', some of these names appear to be non-SES, so I've exempted them out of caution.

MO s. 22(1)(a)(ii) suggested that Volume 1 page 132 have stats relating to terrorism should be exempted. I have not done so as (1) they were released in Hawke's IMB and (2) the business area did not request this.

Hawke's IMB as released can be viewed here:

<https://www.homeaffairs.gov.au/foi/files/2021/fa-210100105-fa210100899-document-released-pt1.PDF>

<https://www.homeaffairs.gov.au/foi/files/2021/fa-210100105-fa210100899-document-released-pt2.PDF>

<https://www.homeaffairs.gov.au/foi/files/2021/fa-210100105-fa210100899-document-released-pt3.PDF>

If you are able, I would appreciate it if you are able to return the signed decision **as soon as possible**.

### Talking Points

Any issues management (including the preparation of Talking Points) relating to the outcome of an FOI request is the responsibility of the business area.

This process may depend on your Division's internal briefing procedures. We recommend that you notify your Executive of the pending decision prior to finalising a matter.

Please liaise with Media Operations at [media@homeaffairs.gov.au](mailto:media@homeaffairs.gov.au) regarding requirements for Talking Points.

The FOI Section will issue a pending decision alert to relevant parties three days prior to release.

Please contact me if you would like to discuss this matter.

Yours

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

Freedom of Information Section  
FOI and Records Management Branch

Data Division

Strategy & Law Enforcement Group

Phone: 02 s. 22(1)(a)(ii)

Email: [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au)

Department of Home Affairs - [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au)

**OFFICIAL**





9 July 2021

s 11C(1)(a)

**In reply please quote:**

FOI Request: FA 21/04/00859

File Number: OBJ2021/12416

Dear s 11C(1)(a)

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

On 19 April 2021, 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:

*The Incoming Ministerial Briefs (or Incoming Government Briefs) provided to Ministers Andrews and Hawke upon their appointment to the roles of Minister for Home Affairs and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, respectively.*

**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.

Released by Department of Home Affairs  
under the Freedom of Information Act 1982



#### 4 Documents in scope of request

On 1 July 2021 the Department advised you that the Incoming Minister Brief (IMB) for the Hon Alex Hawke MP had been published on the Department's Disclosure Log and could be accessed at:

<https://www.homeaffairs.gov.au/foi/files/2021/fa-210100105-fa210100899-document-released-pt1.PDF>

<https://www.homeaffairs.gov.au/foi/files/2021/fa-210100105-fa210100899-document-released-pt2.PDF>

<https://www.homeaffairs.gov.au/foi/files/2021/fa-210100105-fa210100899-document-released-pt3.PDF>

The Department has identified two documents as falling within the scope of the remainder of your request, namely the *Department of Home Affairs Incoming Minister Brief* (2 volumes) and the *Australian Border Force Fact Book 2021*. These documents were in the possession of the Department on 19 April 2021 when your request was received.

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

#### 5 Decision

Section 4(1)(d) of the FOI Act provides that a document for the purpose of the FOI Act does not include material maintained for reference purposes that is otherwise publicly available.

The IMB for the Hon Alex Hawke MP is publicly available, at the web addresses provided above. I therefore consider that you are not entitled to access to these documents, based on the application of section 4(1)(d) of the FOI Act.

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

- Release two documents in part with deletions.

#### 6 Reasons for Decision

Detailed reasons for my decision are set out below.

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 22 of the FOI Act – irrelevant to request

Section 22 of the FOI Act provides that if giving access to a document would disclose information that would reasonably be regarded as irrelevant to the request, it is possible for the Department to prepare an edited copy of the document, modified by deletions, ensuring that the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request.



On 22 April 2021, the Department advised you that its policy is to exclude the personal details of officers not in the Senior Executive Service (SES), as well as the mobile and work telephone numbers of SES staff, contained in documents that fall within scope of an FOI request.

I have decided that parts of documents marked 's22(1)(a)(ii)' would disclose information that could reasonably be regarded as irrelevant to your request. I have prepared an edited copy of the documents, with the irrelevant material deleted pursuant to section 22(1)(a)(ii) of the FOI Act.

The remainder of the documents have been considered for release to you as they are relevant to your request.

## **6.2 Section 22 of the FOI Act – deletion of exempt material**

I have decided to prepare an edited copy of the documents. The grounds upon which the edited copies of these documents have been prepared are set out in the Schedule of Documents.

## **6.3 Section 33 of the FOI Act – Documents affecting National Security, Defence or International Relations**

Section 33(a)(i) of the FOI Act permits exemption of a document if disclosure of the document would, or could reasonably be expected to, cause damage to the security of the Commonwealth.

For the reasons set out below, I consider that there are real and substantial grounds for expecting that the disclosure of the documents exempted under section 33(a)(i) would cause damage to the security of the Commonwealth.

### **Security**

'Security' is a concept with a fluctuating content which can depend upon the circumstances as they exist from time to time.<sup>1</sup> 'Security of the Commonwealth' is defined in section 4(5) of the FOI Act as follows

(5) *Without limiting the generality of the expression security of the Commonwealth, that expression shall be taken to extend to:*

(a) *matters relating to the detection, prevention or suppression of activities, whether within Australia or outside Australia, subversive of, or hostile to, the interests of the Commonwealth or of any country allied or associated with the Commonwealth; and ...*

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<sup>1</sup> *Church of Scientology v Woodward* (1982) 154 CLR 25 at [19].



I also consider that the definition of 'security' in the *Australian Security and Intelligence Organisation Act 1979* is relevant.<sup>2</sup> That Act defines 'security' as:

- (a) *The protection of, and of the people of, the Commonwealth and the several States and Territories from:*
  - (i) *Espionage*
  - (ii) *Sabotage*
  - (iii) *Politically motivated violence*
  - (iv) *Promotion of communal violence*
  - (v) *Attacks on Australia's defence system; or*
  - (vi) *Acts of foreign interference;*
- Whether directed from, or committed within, Australia or not; and*
- (aa) *the protection of Australia's territorial and border integrity from serious threats; and*
- (b) *The carrying out of Australia's responsibilities to any foreign country in relation to a matter mentioned in any of the subparagraphs of paragraph (a) or the matter mentioned in paragraph (aa).*

Having regard to the above and the content marked as 's33(a)(i)' in the document, I am satisfied that this content has the quality of being information that goes to the 'Security of the Commonwealth'. As such I have decided that the information marked 's33(a)(i)' in Document 1 is exempt from disclosure under section 33(a)(i) of the FOI Act.

Section 33(a)(iii) of the FOI Act permits exemption of a document if disclosure of the document would, or could reasonably be expected to cause damage to the international relations of the Commonwealth.

The phrase 'international relations' has been interpreted as meaning the ability of the Australian Government to maintain good working relations with other governments and international organisations and to protect the flow of confidential information between them. The expectation of damage to international relations must be reasonable in all the circumstances, having regard to the nature of the information; the circumstances in which it was communicated; and the nature and extent of the relationship. There must be real and substantial grounds for the conclusion that are supported by evidence.

I consider that the release of the information marked 's33(a)(iii)' in the document would, or could reasonably be expected to, cause damage to the Australian Government's international relations.

As such I have decided that the information redacted and marked 's33(a)(iii)' is exempt from disclosure under section 33(a)(iii) of the FOI Act.

#### **6.4 Section 47C of the FOI Act – Deliberative Processes**

Section 47C of the FOI Act provides that a document is conditionally exempt if its disclosure would disclose deliberative matter relating to the deliberative processes involved in the functions of the Department.

<sup>2</sup> See *Staats and National Archives of Australia* [2010] AATA 531 at [99].



'Deliberative matter' includes opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place, in the deliberative processes of an agency.

'Deliberative processes' generally involves "the process of weighing up or evaluating competing arguments or considerations"<sup>3</sup> and the 'thinking processes – the process of reflection, for example, upon the wisdom and expediency of a proposal, a particular decision or a course of action.'<sup>4</sup>

The document, being an IMB contains advice, opinions and recommendations prepared or recorded in the course of, or for the purposes of, the deliberative processes involved in the functions of the Department and the Home Affairs Portfolio. The IMB includes:

- advice on the Minister's role and responsibilities, the Department's support to the Minister and key challenges and priorities in the portfolio.
- advice on policy commitments of the Government, the issues to be considered and the steps to be taken in implementing those policy commitments.
- advice on particular topics and themes in the Home Affairs portfolio, including strategic directions, budget implications and risks and sensitivities; and
- advice on urgent and priority matters in the Home Affairs portfolio.

In *Dreyfus and Secretary Attorney-General's Department (Freedom of information)* [2015] AATA 962 (14 December 2015) (**Dreyfus**), the purpose of an Incoming Government Brief (IGB) was described as follows:

- *Once the result of an election is known, the Minister takes almost immediate responsibility for his or her portfolios.*
- *A department's contribution to continuity of government is particularly important when there is a change of government or a change of Minister.*
- *Trust and confidence by the Minister in the agency is essential. An IGB is critical in developing the necessary relationship and must be comprehensive and considered in providing analysis and understanding of the newly elected government's objectives, and advice on how these objectives might best be implemented, or giving candid advice about obstacles inhibiting those proposals.*
- *An IGB performs an essential and time critical task of comprehensively informing the incoming government, through the Minister, of the issues facing the portfolio and the key questions of the day, as well providing a foundation for forming views about the strategic direction of the portfolio's responsibilities. It is in this way that the department or agency assists the Minister to transition quickly into the role and ensures that public administration continues smoothly after a change of government or Minister.*
- *Incoming Ministers will often need to rely heavily on the advice in an IGB in the early days of their ministry, so the advice needs to be absolutely frank about the issues.*
- *The understanding that the content of an IGB is confidential is important in the ongoing relationship of trust between the Minister and the department.*

<sup>3</sup> *Dreyfus and Secretary Attorney-General's Department (Freedom of information)* [2015] AATA 962 [18]

<sup>4</sup> *JE Waterford and Department of Treasury (No 2)* [1984] AATA 67



The nature and purpose of any IMB or IGB forms an essential task of assisting in bringing a new minister "up to speed" quickly.<sup>5</sup> An incoming minister would rely heavily on the advice provided by a Department in the early days of their ministry. As a result, the advice provided to that incoming minister needs to be honest and frank, about the functions, key challenges and issues, that the new minister is required to be aware of.

The disclosure of deliberative material contained within the document would affect the capacity for the Department to build a relationship of trust and confidence with an incoming minister. Whilst the passage of time means that the Department may now have developed such a relationship with the Minister, I am satisfied that disclosure of the deliberative content in the document would affect the Department's ability to build a similar relationship with a future incoming minister.

A likely consequence of disclosure of the conditionally exempt information would be that future IMBs would be less comprehensive and candid. A precedent of disclosure of information intended to be confidential between a department and its minister would result in a more cautious approach to the level of detail and frankness provided. This would militate against the purpose of the IMB or IGB and would detract from the capacity of such briefs to fulfil their intended function.

Any IMB or IGB is a unique form of document, as they are prepared as a confidential document intended only for the audience of an incoming minister.

I note that in *Dreyfus*, it was held that:

*"it is not a question of simply inhibiting frankness and candour but of limiting the input to an IGB. ... It is important that those preparing the deliberative content of IGBs continue to understand that it may be not only frankly but also fully and in the knowledge that it is confidential to the intended recipient."*<sup>6</sup>

*"These factors were relevant when the IGB was being prepared and remain relevant today..."*<sup>7</sup>

I am satisfied that there is a need to maintain confidentiality over deliberative material contained in the IMB to ensure that the content of any future IMB or IGB is prepared with the necessary frankness, candour and completeness of opinion, advice or recommendation required for such a brief. The disclosure of such material would have an impact on the preparation of future IMBs and IGBs, if access to the IMB subject to this request were to be granted.

I am satisfied that the purely factual material, so far as it can be distinguished from the deliberative material, has been considered for release to you. The information does not otherwise fall within any of the exclusions in subsections 47C(2) and (3) of the FOI Act. I have decided that the information is conditionally exempt under section 47C 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 at paragraph 6.7 below.

<sup>5</sup> *Dreyfus* – paragraph 102

<sup>6</sup> *Dreyfus* – Paragraph 103

<sup>7</sup> *Dreyfus* – Paragraph 107



## 6.5 Section 47E of the FOI Act – Operations of Agencies

Section 47E(c) 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 management or assessment of personnel by an agency.

The Department operates in a position of trust within the border environment and as such the highest standard of conduct must be encouraged and maintained.

The Department's Professional Standards Framework promotes the highest of standards of professional conduct expected of the Department's workforce. Contained within the professional standards framework, is the integrity framework which includes measures designed to protect our workforce from criminal influence and to mitigate the potential for corruption risk. Any adverse effect to the effectiveness of the Department's ability to manage its personnel within its integrity framework exposes the Department to potential integrity risk which would result in a substantial adverse effect on the operations of the Department.

At times, the policy space that this Department operates in can be highly controversial and divisive and in some circles, an unpopular aspect of government policy. The Department also operates in a highly sensitive operational environment. As such, affording protection to its staff is a high priority for the Department.

Staff names and direct contact details are not published outside the Department in order to protect staff against the risk of inappropriate unsolicited approaches, personal attack and harassment.

The disclosure of staff names and direct contact details outside the Department could expose those members of staff to unsolicited approaches by individuals with criminal affiliations and may result in serious risks to the security and integrity of the Department's lawful activities. There have also been documented cases of members of staff of the Department being harassed and receiving personal threats to their safety.

I am therefore satisfied that the likelihood of a threat from unknown individuals to members of staff is based not based on intangible or hypothetical threats.

The Department has a primary duty of care to ensure, so far as is reasonably practical, the health and safety of its officers under the *Work Health and Safety Act 2011* (WHS Act). The Department must ensure, as far as is reasonably practicable, that the health and safety of other persons is also not put at risk from work carried out as part of the conduct of the Department.

I am of the view that the disclosure of the names of officers contained within the documents could impact on the ability of the Department to comply with its health and safety obligations under the WHS Act. This this would, or could reasonably be expected to, have a substantial adverse effect on the management of personnel by the Department.

I have decided that the documents are conditionally exempt under section 47E(c) 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 at paragraph 6.7 below.



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 the parts of documents 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.

Managing the security and integrity of Australia's borders is integral to the operations of the Department. Any prejudice to the effectiveness of the operational methods and procedures used in undertaking that role would result in a substantial adverse effect on the operations of the Department.

Any disclosure resulting in the prejudice of the effectiveness of the Department's current and future operational methods and procedures would result in the need for this Department, and potentially its law enforcement partners, to change those methods and/or procedures to avoid jeopardising their future effectiveness.

Some information marked 's47E(d)' consists of operational email addresses used by this Department. These email addresses are not otherwise publicly available, and disclosure of this information could reasonably be expected to result in potential vexatious communication and public inquiries which these operational areas are not resourced to manage. The Department has established channels of communication for members of the public into the Department, and I consider there is no public interest in disclosing these operational contact details. Given the operational focus of those business areas, such a diversion of the resources of that business area could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of this Department and its partner agencies.

I have decided that parts of the documents 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 at paragraph 6.7 below.

## **6.6 Section 47F of the FOI Act – Personal Privacy**

Section 47F of the FOI Act provides that a document is conditionally exempt if its disclosure under the FOI Act would involve the unreasonable disclosure of personal information of any person. 'Personal information' means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not (see s 4 of the FOI Act and s 6 of the *Privacy Act 1988*).

I consider that disclosure of the information marked 's47F' in the document would disclose personal information relating to third parties. The information within the document would reasonably identify a person, either through names, positions or descriptions of their role or employment circumstance.



The FOI Act states that, when deciding whether the disclosure of the personal information would be 'unreasonable', I must have regard to four factors set out in s.47F(2) of the FOI Act. I have therefore considered each of these factors below:

- *the extent to which the information is well known;*
- *whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document;*
- *the availability of the information from publicly available resources;*
- *any other matters that I consider relevant.*

The information relating to the third parties is not well known and would only be known to a limited group of people with a business need to know. As this information is only known to a limited group of people, the individuals concerned are not generally known to be associated with the matters discussed in the document. This information is not available from publicly accessible sources.

I do not consider that the information relating specifically to the third parties would be relevant to the broader scope of your request, as you are seeking access to information relating to the Department rather than information which wholly relates to other individuals.

I am satisfied that the disclosure of the information within the document would involve an unreasonable disclosure of personal information about a number of individuals.

I have decided that the information referred to above is conditionally exempt under section 47F 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 at paragraph 6.7 below.

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

As I have decided that parts of the documents 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:

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



Having regard to the above I am satisfied that:

- Access to the documents would promote the objects of the FOI Act.
- The subject matter of the documents does have the character of public importance and that there may be broad public interest in the documents..
- No insights into public expenditure will be provided through examination of the documents.
- You do not require access to the documents in order to access your own personal information.

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

#### Section 47C

- Disclosure of material identified as deliberative could reasonably be expected to prejudice the ability of departments to provide full and frank advice to incoming ministers.
- I consider that there is a public interest that the briefing process between a department and an incoming minister is not hindered. I am of the view that a precedent of public disclosure of advice given as a part of those confidential briefing processes would result in such concerns existing, which may then hinder future deliberations and decision making processes for the Department and the Government as a whole.
- I consider that the public interest in protecting the process of providing free and frank advice, opinions and recommendations in relation to the functions of the Department and the Portfolio more broadly to the incoming Minister would, on balance, carry more weight, than the public interest that might exist in disclosing the those actual deliberations.
- I am satisfied that disclosure of the conditionally exempt information would be contrary to the public interest, in that it would disclose deliberative matter, noting that the purpose of an IMB is to provide frank and complete advice to a new minister *"at a critical juncture in the system of responsible parliamentary government"*.<sup>8</sup>
- I consider that any perceived benefit to the public from the disclosure of the information would be outweighed by the benefit to the public of maintaining the confidentiality of that information, and refusing access to it.

#### Section 47E

- Disclosure of the information exempt under section 47E(c) could reasonably be expected to prejudice the personnel or management functions of the Department and would have a substantial adverse effect on the operations of the Department. There is a strong public interest in ensuring that officers are not subjected to inappropriate approaches or harassment. I consider that this would be contrary to the public interest and that this factor weighs strongly against disclosure.



- Disclosure of the parts of the documents that are conditionally exempt under section 47E(d) of the FOI Act could reasonably be expected to prejudice law enforcement functions and, as a result, the ability of the Department to protect Australia's borders. I consider there to be a strong public interest in ensuring that the ability of the Department to conduct its law enforcement functions is not compromised or prejudiced in any way. I consider that this would be contrary to the public interest and that this factor weighs strongly against disclosure.
- Disclosure of the operational email addresses which are conditionally exempt under section 47E(d) of the FOI Act would have a substantial adverse effect on the ability of the relevant operational areas to conduct their business as usual. The Department has established avenues in place for members of the public to contact when they have queries, complaints or comments. I consider that there is a strong public interest in ensuring public feedback is filtered through these available channels so that operational areas within the Department are able to carry out their functions in an effective matter. I consider that this would be contrary to the public interest and that this factor weighs strongly against disclosure of the exempt information.

#### Section 47F

- Disclosure of the personal information contained in the IMB could reasonably be expected to prejudice the protection of those individuals' right to privacy.
- The Department is committed to complying with its obligations under the *Privacy Act 1988*, which sets out standards and obligations that regulate how the Department must handle and manage personal information. It is firmly in the public interest that the Department uphold the rights of individuals to their own privacy and meets its obligations under the Privacy Act. I consider that non-compliance with the Department's statutory obligations concerning the protection of personal information would be contrary to the public interest and that this factor weighs strongly against disclosure.

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

- access to the document could result in embarrassment to the Commonwealth Government, or cause a loss of confidence in the Commonwealth Government*
- access to the document could result in any person misinterpreting or misunderstanding the document*
- 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*
- 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 would be contrary to the public interest and it is therefore exempt from disclosure under the FOI Act.



## 7 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.

## 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  
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>.

## 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.

Released by Department of Home Affairs  
under the Freedom of Information Act 1982



## 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).

Yours sincerely

**s 11C(1)(a)**

Veronika

Position no. 60045258

Authorised Decision Maker

Department of Home Affairs

Released by Department of Home Affairs  
under the *Freedom of Information Act 1982*

# ATTACHMENT A

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

FOI request: FA 21/04/00859

File Number: OBJ2021/2021/12416

No.	Date of document	No. of pages	Description	Decision on release	
1.	March 2021	274	Department of Home Affairs Incoming Minister Brief [2 volumes]	Exempt in part	22(1)(a)(ii) 33(a)(i) 33(a)(iii) 47C 47E(c) 47E(d) 47F
2.	March 2021	53	Australian Border Force Fact Book 2021	Exempt in part	22(1)(a)(ii)

Released by Department of Home Affairs  
under the *Freedom of Information Act 1982*

**From:** s. 22(1)(a)(ii)  
**To:** s. 22(1)(a)(ii) s. 22(1)(a)(ii)  
**Subject:** Conversation with s. 22(1)(a)(ii)  
**Date:** Friday, 9 July 2021 12:05:21 PM

---

s. 22(1)(a)(ii) 11:53 AM:

Hi s. 22(1)(a)(ii) I'll be sending you the s. 47F(1) FOI decision letter and docs in a few minutes. s. 22(1)(a)

s. 22(1)(a)(ii) 11:53 AM:

thanks



**From:** s. 22(1)(a)(ii)  
**To:** FOI  
**Cc:** s. 22(1)(a)(ii)  
**Subject:** FW: Follow up: FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]  
**Date:** Thursday, 8 July 2021 5:38:00 PM

---

**OFFICIAL**

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

In case this has not been communicated to the FOI team separately, see below email we received from the MO with additional suggestions.

Thanks

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

(a)(ii)

A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs  
P: (02) s. 22(1)(a)(ii) | s. 22(1)(a)(ii)  
E: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

**OFFICIAL**

---

**From:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Sent:** Thursday, 8 July 2021 4:52 PM  
**To:** Emily GRANT <s. 22(1)(a)(ii)@homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Cc:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>; s. 47E(d) <s. 47E(d)@homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>; Steven DAVIES <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Subject:** RE: Follow up: FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]

**OFFICIAL**

Hello Emily

Thank you for reaching out – this is a Department only request and consultation with the MHAO is not required. In the spirit of assistance we have noted some small items if it helps:

1. In the quick facts section (volume 1) under counter terrorism there are various statistics about offshore fighters, but noting that they may be affected by the national security provisions (section 33)?
2. That the International Engagement and Offshore Footprint section is redacted but the

associated Attachment A at 106 of Volume 2 is not.

Thank you.

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

**Office of the Hon Karen Andrews MP  
Minister for Home Affairs**

Parliament House Canberra ACT 2600 Australia

T +61 2 s. 22(1)(a)(ii) | M +61 s. 22(1)(a)(ii) | E s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:s. 22(1)(a)(ii)@homeaffairs.gov.au)

**OFFICIAL**

---

**From:** Emily GRANT <s. 22(1)(a)(ii)@homeaffairs.gov.au>

**Sent:** Monday, 5 July 2021 12:59 PM

**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>

**Cc:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>; s. 47E(d) <s. 47E(d)@homeaffairs.gov.au>

**Subject:** RE: Follow up: FOI Requests Minister Andrews IMB - s. 47F(1)

[SEC=OFFICIAL]

**OFFICIAL**

Hi s. 22(1)(a)(ii) – this is quite overdue. Have we made further progress?

-Emily

**Emily Grant**

Assistant Secretary  
Ministerial and Parliamentary Branch  
Executive Division

Department of Home Affairs

**P:** 02 s. 22(1)(a)(ii) | **M:** s. 22(1)(a)(ii)

**E:** s. 22(1)(a)(ii)@homeaffairs.gov.au

*Executive Assistant:* s. 22(1)(a)(ii)

**OFFICIAL**

---

**From:** Emily GRANT

**Sent:** Tuesday, 22 June 2021 2:28 PM

Released by Department of Home Affairs  
under the Freedom of Information Act 1982



To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [HOMEAFFAIRS.GOV.AU](mailto:HOMEAFFAIRS.GOV.AU)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [HOMEAFFAIRS.GOV.AU](mailto:HOMEAFFAIRS.GOV.AU)>  
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [HOMEAFFAIRS.GOV.AU](mailto:HOMEAFFAIRS.GOV.AU)>; s. 47E(d) <s. 47E(d) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>

**Subject:** FW: Follow up: FOI Requests Minister Andrews IMB - s. 47F(1)  
[SEC=OFFICIAL]

**OFFICIAL**

s. 22(1)(a)(ii) – has this matter progressed any further?

Happy to discuss.

-Emily

**Emily Grant**  
Assistant Secretary  
Ministerial and Parliamentary Branch  
Executive Division

Department of Home Affairs  
P: 02 s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)  
E: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)

*Executive Assistant:* s. 22(1)(a)(ii)

**OFFICIAL**

---

**From:** FOI <[foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au)>  
**Sent:** Tuesday, 22 June 2021 12:00 PM  
**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>  
**Cc:** Emily GRANT <s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>; Paul PFITZNER <s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:@homeaffairs.gov.au)>  
**Subject:** Follow up: FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]

**OFFICIAL**

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

I am writing to follow up on these two requests, which are now outside of statutory timeframes. We also have a third related request which is waiting on resolution of these ones.

Can I ask who you sent these to in the MO for clearance? Our FOI contact in the MO is s. 22(1)(a)(ii) and I am wondering if we might get a faster turnaround if we reach out to him directly? I don't think we can reasonably wait until next week to progress this request, given the sensitivity and the fact its already overdue.

Appreciate any assistance you can provide.

Kind regards

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

Assistant Director  
FOI Section  
FOI and Records Management Branch  
Data Division  
Strategy & Law Enforcement Group  
P: (03) s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)  
Department of Home Affairs | [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au)

*Please note that I work Monday – Thursday.*

**OFFICIAL**

---

**From:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Sent:** Thursday, 17 June 2021 1:52 PM  
**To:** FOI <foi@homeaffairs.gov.au>  
**Cc:** Emily GRANT <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Subject:** RE: FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]

**OFFICIAL**

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

This is with the Minister's office for consideration.

The office is aware of the timeframes; however, as we are currently in a sitting period, it is unlikely that we will have a finalised decision for you before wc 28 June.

I will keep you informed.

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

(a)(ii)  
A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs  
P: (02) s. 22(1)(a)(ii) | s. 22(1)(a)(ii)

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under the Freedom of Information Act 1982



E: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)

**OFFICIAL**

---

**From:** FOI <[foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au)>

**Sent:** Thursday, 17 June 2021 1:48 PM

**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>

**Subject:** FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]

**OFFICIAL**

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

Are you able to provide any update on the status of the FOI request(s) for Minister Andrews IMB? While there are other issues possibly absorbing the Senator's interest at the moment, this request is reaching a timeframe that will come under greater scrutiny.

Cheers, s. 22(1)(a)

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

Director (Surge Team)

Freedom of Information Section

FOI and Records Management Branch

Data Division

Corporate and Enabling Group

Department of Home Affairs

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

Email: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)

**OFFICIAL**

Released by Department of Home Affairs  
under the *Freedom of Information Act 1982*

**From:** s. 22(1)(a)(ii)  
**To:** s. 22(1)(a)(ii) s. 22(1)(a)(ii)  
**Subject:** Conversation with s. 22(1)(a)(ii)  
**Date:** Thursday, 8 July 2021 5:06:40 PM

---

s. 22(1)(a)(ii) 4:49 PM:

Hi s. 22(1)(a)(ii) - I'm still reviewing the marked-up Incoming Min Briefs, so I won't send you anything before tomorrow morning. Don't wait up! s. 22(1)(a)

s. 22(1)(a)(ii) 4:50 PM:

Great, thanks s. 22(1)(a)

s. 22(1)(a)(ii) 4:54 PM:

s. 22(1)(a)(ii) said that s. 22(1)(a) in the MO would send you some comments - is that correct?



**From:** s. 22(1)(a)(ii)  
**To:** s. 22(1)(a)(ii) s. 22(1)(a)(ii)  
**Subject:** 80 days and waiting for FOI response to s. 47F(1) -- FOI request FA 21/04/00859[SEC=OFFICIAL]  
**Date:** Thursday, 8 July 2021 3:59:42 PM

---

10:17 AM Connected to s. 22(1)(a)(ii) s. 22(1)(a)(ii) homeaffairs.gov.au).

10:29 AM Call with s. 22(1)(a)(ii) s. 22(1)(a)(ii) homeaffairs.gov.au) has ended. Duration: 0:11:46

s. 22(1)(a)(ii) 3:47 PM:

Spoke with s. 22(1)(a)(ii). He's just about to hit send on an email to you saying that they do not need to be consulted, but they have notice 2 things for consideration.

s. 22(1)(a)(ii) 3:47 PM:

great, thank you

**From:** s. 22(1)(a)(ii)  
**To:** s. 22(1)(a)(ii)  
**Subject:** RE: 80 days and waiting for FOI response to s. 47F(1) -- FOI request FA 21/04/00859 [SEC=OFFICIAL]  
**Date:** Thursday, 8 July 2021 12:20:00 PM  
**Attachments:** [RE Follow up FOI Requests Minister Andrews JMB - s. 47F\(1\) - SECOFFICIAL.msg](#)  
[image001.jpg](#)

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**OFFICIAL**

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

I've just spoken with FOI about this – apparently the line area had a discussion from Steve Davies and advised him that this is with the Minister's office for consultation. He may just require further information from you or discuss a way forward.

By way of background, we submitted a hard copy to the MO on 1 or 2 June, as requested by the Chief of Staff. Emily then followed up with the office twice, on 22 June and on 5 July (attached email trail refers). I believe the MO has been in touch with FOI separately and requested a soft copy of the documentation recently.

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

(a)(ii)

A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs  
P: (02) s. 22(1)(a)(ii) | s. 22(1)(a)(ii)  
E: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

**OFFICIAL**

---

**From:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Sent:** Thursday, 8 July 2021 12:15 PM  
**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Subject:** FW: 80 days and waiting for FOI response to s. 47F(1) -- FOI request FA 21/04/00859 [SEC=OFFICIAL]  
**Importance:** High

**OFFICIAL**

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

A/g Assistant Secretary  
Ministerial and Parliamentary Branch | Executive Division



Department of Home Affairs

P: 02 s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

**OFFICIAL**

---

**From:** Steven DAVIES <s. 22(1)(a)(ii)@homeaffairs.gov.au>

**Sent:** Thursday, 8 July 2021 12:09 PM

**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>

**Subject:** FW: 80 days and waiting for FOI response to s. 47F(1) – FOI request FA 21/04/00859 [SEC=OFFICIAL]

**Importance:** High

**OFFICIAL**

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

Can you give me a call back regarding the FOI case from s. 47F(1) office and the email from the office below?

A decision package was sent to the decisions-maker, s. 22(1)(a)(ii), on 1 June and s. 22(1)(a)(ii) has not as yet made a decision on the request some five weeks later.

Regards,

**Steve Davies**

Chief Data Officer | First Assistant Secretary Data Division

P: 02 s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii)@homeaffairs.gov.au

**OFFICIAL**

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

**OFFICIAL**

Released by Department of Home Affairs  
under the Freedom of Information Act 1982

**From:** s. 22(1)(a)(ii)  
**To:** Emily GRANT  
**Subject:** FW: Follow up: FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]  
**Date:** Tuesday, 22 June 2021 12:13:00 PM

---

**OFFICIAL**

Emily – grateful for advice on below. s. 22(1)(a)(ii)

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

A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs

P: (02) s. 22(1)(a)(ii) | s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

**OFFICIAL**

---

**From:** FOI <foi@homeaffairs.gov.au>  
**Sent:** Tuesday, 22 June 2021 12:00 PM  
**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Cc:** Emily GRANT <s. 22(1)(a)(ii)@homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>; Paul PFITZNER <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Subject:** Follow up: FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]

**OFFICIAL**

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

I am writing to follow up on these two requests, which are now outside of statutory timeframes. We also have a third related request which is waiting on resolution of these ones.

Can I ask who you sent these to in the MO for clearance? Our FOI contact in the MO is s. 22(1)(a)(ii) and I am wondering if we might get a faster turnaround if we reach out to him directly? I don't think we can reasonably wait until next week to progress this request, given the sensitivity and the fact its already overdue.

Appreciate any assistance you can provide.

Kind regards

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

Assistant Director  
FOI Section



FOI and Records Management Branch  
Data Division  
Strategy & Law Enforcement Group  
P: (03) s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)  
Department of Home Affairs | [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au)

*Please note that I work Monday – Thursday.*

**OFFICIAL**

---

**From:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Sent:** Thursday, 17 June 2021 1:52 PM  
**To:** FOI <foi@homeaffairs.gov.au>  
**Cc:** Emily GRANT <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Subject:** RE: FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]

**OFFICIAL**

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

This is with the Minister's office for consideration.

The office is aware of the timeframes; however, as we are currently in a sitting period, it is unlikely that we will have a finalised decision for you before wc 28 June.

I will keep you informed.

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

(a)(ii)  
A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs  
P: (02) s. 22(1)(a)(ii) | s. 22(1)(a)(ii)  
E: s. 22(1)(a)(ii)@homeaffairs.gov.au

**OFFICIAL**

---

**From:** FOI <foi@homeaffairs.gov.au>

Released by Department of Home Affairs  
under the Freedom of Information Act 1982

**Sent:** Thursday, 17 June 2021 1:48 PM

**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>

**Subject:** FOI Requests Minister Andrews IMB - s. 47F(1) [SEC=OFFICIAL]

**OFFICIAL**

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

Are you able to provide any update on the status of the FOI request(s) for Minister Andrews IMB? While there are other issues possibly absorbing the Senator's interest at the moment, this request is reaching a timeframe that will come under greater scrutiny.

Cheers, s. 22(1)

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

Director (Surge Team)

Freedom of Information Section

FOI and Records Management Branch

Data Division

Corporate and Enabling Group

Department of Home Affairs

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

Email: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:homeaffairs.gov.au)

**OFFICIAL**



From: s. 22(1)(a)(ii)  
To: [Emily GRANT](#)  
Subject: Minister Andrews IMB FOI requests [SEC=OFFICIAL]  
Date: Tuesday, 1 June 2021 2:41:00 PM  
Attachments: [FA 21 04 00429 - Incoming Minister Brief - Minister Andrews - Volume One \[Marked up\].tr5](#)  
[FA 21 04 00429 - Incoming Minister Brief - Minister Andrews - Volume Two \[Marked up\].tr5](#)

---

**OFFICIAL**

Hi Emily

Please find trim links to Minister Andrews' IMB attached.

Both volumes of the IMB have been reviewed by authoring line areas and redactions applied as per their advice <sup>s. 22(1)(a)(i)</sup> and I have also reviewed and suggested one additional redaction (personal information in Michael Milford's bio), which has been applied by the FOI team.

We will be sending hard copies to the Minister's office in tomorrow morning's run.

<sup>s. 22(1)(a)(i)</sup>

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

A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs  
P: (02) <sup>s. 22(1)(a)(ii)</sup> | <sup>s. 22(1)(a)(ii)</sup>  
E: <sup>s. 22(1)(a)(ii)</sup> [homeaffairs.gov.au](mailto:homeaffairs.gov.au)

**OFFICIAL**

---

**From:** <sup>s. 22(1)(a)(ii)</sup> <<sup>s. 22(1)(a)(ii)</sup> [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>  
**Sent:** Tuesday, 1 June 2021 10:24 AM  
**To:** <sup>s. 22(1)(a)(ii)</sup> <<sup>s. 22(1)(a)(ii)</sup> [homeaffairs.gov.au](mailto:homeaffairs.gov.au)>; FOI <[foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au)>  
**Subject:** RE: FOI requests FA 21/04/00429 and FA 21/04/00859 - Incoming Minister's Brief Decision Making [SEC=OFFICIAL]

**OFFICIAL**

Morning <sup>s. 22(1)(a)(ii)</sup>

Thanks for the advice on the additional redactions.

I've applied those to the attached Volume(s) for review via TRIM links.

Cheers, <sup>s. 22(1)(a)</sup>

<sup>s. 22(1)(a)(ii)</sup>

Director (Surge Team)  
Freedom of Information Section  
FOI and Records Management Branch  
Data Division  
Corporate and Enabling Group  
Department of Home Affairs  
Phone: s. 22(1)(a)(ii)  
Email: s. 22(1)(a)(ii) [homeaffairs.gov.au](mailto:s. 22(1)(a)(ii)@homeaffairs.gov.au)

**OFFICIAL**

---

**From:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Sent:** Friday, 28 May 2021 5:25 PM  
**To:** FOI <foi@homeaffairs.gov.au>  
**Cc:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>  
**Subject:** RE: FOI requests FA 21/04/00429 and FA 21/04/00859 - Incoming Minister's Brief Decision Making [SEC=OFFICIAL]

**OFFICIAL**

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

I have reviewed the pack and identified an instance where additional redactions should be made - s. 22(1)(a)(ii) family in the last sentence of his biography (Volume 1, page 24) should be redacted (see highlighted in red in the attached). I have discussed this with the responsible line area and received confirmation/approval.

Grateful if your team could action and provide me with an amended copy as soon as possible. I will then progress to Minister Andrews' office for consultation, prior to providing a decision on release.

Kind regards,

s. 22(1)(a)(ii)  
A/g Director, Ministerial Executive Coordination  
Ministerial and Parliamentary Branch | Executive Division  
Department of Home Affairs  
P: (02) s. 22(1)(a)(ii) | s. 22(1)(a)(ii)  
E: s. 22(1)(a)(ii)@homeaffairs.gov.au

**OFFICIAL**

Released by Department of Home Affairs  
under the Freedom of Information Act 1982



**From:** FOI <foi@homeaffairs.gov.au>

**Sent:** Tuesday, 25 May 2021 2:50 PM

**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>

**Cc:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>

**Subject:** FOI requests FA 21/04/00429 and FA 21/04/00859 - Incoming Minister's Brief Decision Making [SEC=OFFICIAL]

## OFFICIAL

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

We're now in a position to seek your review on the attached decision letter and documents in scope for the s. 47F(1) FOI requests. We have followed your convention of separating the IMB into Volumes 1 and 2 and the file size requires that we attach TRIM links to those documents.

Both Volumes reflect the consultation with areas of the Department and Portfolio Agencies that you have previously undertaken. All proposed redactions in these volumes are consistent with business areas requests and our own analysis based on the FOI Act.

You'll observe that the redacted version of Volume 2 is now 140 pages as it does not include the 2 page confidential concept note from Regional Processing and Settlement included in the version you originally provided to FOI in the call for documents. Advice from the business area (s. 22(1)(a)(ii)) was that the note was incorrect and should be removed; the correct note was apparently provided separately.

I understand you will be liaising with Minister Andrews' Office in relation to the potential release of these documents and I'd be most grateful if you could provide an indicative timeframe for this review and signing of the decision letter noting the sensitivity of the request from s. 47F(1)

Happy to discuss at any time.

Cheers, s. 22(1)(a)

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