



Australian Government
Department of Defence

Reference: R30725046

FOI 258/16/17 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by [REDACTED] under the *Freedom of Information Act 1982* (FOI Act), for access to:

“...documents within your department relating to a media request made by me on March 9, 2017 relating to military curriculum vitae of Brigadier Kathryn Campbell.

I seek all documents generated within the department relating to the request, including copies of emails, text messages and records of conversations which were taped or otherwise recorded. I make it clear that I also want records of any communications in relation to this request emanating from the office of the Chief of the Army, Lt General Angus Campbell.

I also seek copies of any conversations, discussions and communications, whether orally or in writing with people outside the department, including with Brigadier Campbell, any of her staff, with officers of the Department of Human Services, or with representatives of any media organisations.”

“I do not require written transcriptions of material which already exists in digital form”

FOI decision maker

2. I am the accredited officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

Documents identified

3. I identified seven documents (four documents and three audio recordings) as matching the description of the request.

4. While the applicant does not require written transcripts of the audio files, transcripts of the recordings have been made for completeness and inclusion on the Defence Disclosure Log.

5. I have added an FOI reference number and Serial number to each of the documents.

Decision

6. I have decided to:

- a. release two documents in full and one audio recording in full; and
- b. partially release two documents and two audio recordings in accordance with section 22 [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act, on the grounds that the deleted material is considered exempt under section 47F [public interest conditional exemptions-personal privacy] of the FOI Act (where the transcripts of the audio recordings reflect the edits made on the recordings).

Material taken into account

7. In making my decision, I had regard to:
- a. the terms of the request;
 - b. the content of the identified documents in issue;
 - c. relevant provisions in the FOI Act; and
 - d. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).

Reasons for decision

Section 47F - Personal privacy

8. Upon examination of the documents, I found that some of them contained personal information of personnel, such as names belonging to persons other than the applicant. In accordance with subsection 47F(2) of the FOI Act, in determining whether the disclosure of this information would involve the unreasonable disclosure of personal information, I had regard to:

- a. the extent to which the information is well known
- b. whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the documents
- c. the availability of the information from publicly accessible sources.

9. Against these three criteria, I found that:

- a. the specific pieces of personal information relating to the individuals are not well known
- b. the persons to whom the information relates is not known to be, or to have been, associated with the matters dealt with in the document
- c. particularly, this specific information is not readily available from publicly accessible sources.

10. Noting the above findings, I have decided that disclosure of the specific information would be an unreasonable disclosure of personal information belonging to other individuals. Accordingly, I consider that the material is conditionally exempt under section 47F of the FOI Act.

Section 47F - Public interest considerations

11. Subsection 11A(5) of the FOI Act requires Defence to allow access to a conditionally exempt document “unless (in the circumstances) access to the document would, on balance, be contrary to the public interest”.

12. In assessing whether disclosure of the conditionally exempt material is, on balance, contrary to the public interest, I considered the factors favouring disclosure set out in section 11B(3) of the FOI Act. The relevant factor is that disclosure may promote some of the objectives of the FOI Act, as information held by the Government is a national resource.

13. While I note the release of this material would be of some interest to the applicant, it would not increase public participation in the Defence process, nor would it increase scrutiny or discussion of Defence activities.

14. On balance, I believe the potential prejudice to the privacy of persons other than the applicant outweighs any potential benefit from promoting the objects of the Act. In coming to

the above decision, I considered subsection 11B(4) [irrelevant factors] of the Act. None of these factors were taken into account. I therefore decided that it would be contrary to the public interest to release the identified information under section 47F of the FOI Act.

Further Information

Prior to publication on the disclosure log further privacy redactions will be made to the documents

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Accredited Decision Maker
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