



## Attachment A

## DECISION RECORD

### Request Details

FOI Request FA 16/10/00798  
File Number ADF2016/59122

### Scope of request

1. On 29 September 2016 you requested:

*In relation to matter [REDACTED] I seek to make a request for the following information;*

#### Policy documents

- I request all policy documents held by the department relating to the processing of Syrian refugees.
- I request all policy documents relating to the compelling reason accepted by the department for resettlement.

#### Cases

*I request the following details of all cases for humanitarian visas provided/accepted from July 2015 to date:*

- the sex of the applicant
- the marital status of the applicant
- the age of the applicant
- the religion of the applicant
- the compelling reasons on which the application was accepted.

*I also request the following details for all cases for humanitarian visas that have been rejected in the period from July 2015 to date:*

- the sex of the applicant
- the marital status of the applicant
- the age of the applicant
- the religion of the applicant
- the compelling reasons on which the application was rejected.

*(The names and specific details of the individuals to be redacted)*

*I also request the full file for application [REDACTED].*

### Documents in scope

2. I note that in relation to your request for Departmental policy documents, you were directed to publically available information on 8 November 2016. Therefore the Department has not processed this part of your request under the formal provisions of the FOI Act.

3. On 17 October 2016, part of your FOI request concerning '*the full file for application* [REDACTED]' was referred to the Department's NSW State Office for processing. You were advised about the referral of this part of your request by email correspondence on 18 October 2016. As such, this part of your request will be processed separately to the main part of your FOI request by the Department's NSW State Office.
4. No discrete documents were found to exist in relation to the 'Cases' section of your request.

#### **Authority to make decision**

5. 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 Departmental records.

#### **Information considered**

6. In reaching my decision, I have considered the following:
  - The terms of your request;
  - The *Freedom of Information Act 1982*;
  - The Australian Information Commissioner's guidelines relating to access to documents held by government;
  - Departmental files and/or documents; and
  - Consultations with relevant business area/s.

#### **Application of s.17 of the FOI Act to your request**

7. Under s.17(1) of the FOI Act, where a discrete document relevant to the request does not exist, the agency is to consider whether a document addressing the request could be produced through the use of a computer or other equipment that is ordinarily available to the agency for retrieving or collating stored information.
8. Advice from the relevant business area is that some of the data sought in relation to the 'Cases' section of your request is able to be produced from systems in a way that would provide part of the information you are seeking.
9. Following consultation with the relevant business areas, a document titled '*Offshore Humanitarian Programme Statistics*' was produced. This document provides data related to humanitarian visas processed in the period between 1 July 2015 and 17 October 2016.
10. Advice from the relevant business area regarding the following parts of your request is that the Department does not collate and store this type of information in a central database:
  - '*compelling reasons on which the application was accepted*'; and
  - '*compelling reasons on which the application was rejected*'
11. The relevant business area would be required to perform the following tasks to produce the data you seek:
  - Physically search all Humanitarian Visa applicant files held by the Department amounting to approximately 107,104 records for the time period specified in your request;
  - Manually compile a record of each '*compelling reasons*' decision for the purposes of this FOI request; and
  - Manually count each relevant decision and record the results on a document for the purposes of this FOI request.

12. The business area estimates that the time required to compile this data would take approximately 15 minutes per file, or approximately 27,000 hours in total.
13. Given the advice of the relevant business area I am satisfied that production of the data from systems would be an unreasonable diversion of the Department's resources.
14. Section 17(2) of the FOI Act provides that:

*An agency is not required to comply with subsection (1) if compliance would substantially and unreasonably divert the resources of the agency from its other operations.*

## **Decision**

15. I have considered the document created to meet the scope of your request, and I have decided to release it in full.

[REDACTED]  
Freedom of Information Officer  
Information Management Branch  
Department of Immigration and Border Protection  
[REDACTED] | [foi@border.gov.au](mailto:foi@border.gov.au)

30 December 2016



**Attachment B**

**SCHEDULE OF DOCUMENTS TO DECISION RECORD**

**FOI Request: FA 16/10/00798**

<b>No.</b>	<b>Date of document</b>	<b>Pages</b>	<b>Description</b>	<b>Relevant legislation (FOI Act)</b>
1.	17/10/2016	1-2	Offshore Humanitarian Programme Statistics	Released in full –