



28 November 2017

BY EMAIL: [REDACTED]

In reply please quote:

FOI Request: FA 17/04/00529

File Number: ADF2017/40907

Dear [REDACTED]

Freedom of Information (FOI) request - Access Decision

On 18 April 2017, the Department of Immigration and Border Protection (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:

There are two parts to the request, statistics and documents.

1. Statistics

A. The annual number of reports received by the Immigration and Citizenship Fraud Reporting Service (or Dob-in Service)

B. The total number of reports that were investigated by the Department, as well as, the total number of reports resulting in a legal or administrative action (removal, fines, criminal charges etc.).

C. The annual number of reports received by: state/territory where report was made; the violation type associated with the report (unlawful (online, telephone etc.); and the general location of any compliance actions (private residence, workplace etc.).

2. Documents

Documents from the Department relating to the design, purpose and operation of the Immigration and Citizenship Fraud Reporting Service (or Dob-in Service) from 2015 to 2017.

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 the relevant business area
- the Department's guidance material on the FOI Act

4 Documents in scope of request

The Department has identified four documents (Documents 2, 3, 4 and 5) as falling within the scope of your request. These documents were in the possession of the Department on 18 April 2017 when your request was received.

In addition, in accordance with section 17 of the FOI Act, the Department has used its computer system to produce one document that contains information that falls within the scope of Part 1 of your request. The data produced in Document 1 includes data from 1 July 2014 until 30 June 2017.

5 Decision

The decision in relation to the documents relevant to your request is as follows:

- Release one document in full
- Release three documents with irrelevant material deleted
- Exempt one document in full from disclosure

The exemptions are detailed in the Schedule of Documents and the Documents Released.

5.1 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.

I have decided that the parts of Document 2, 3 and 4 marked 's22(1)(a)(ii)' would disclose information that could reasonably be regarded as irrelevant to your request. I am satisfied that this information does not relate to the design, purpose and operation of the Immigration and Citizenship Fraud Reporting Service. I have therefore 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 Reasons for Decision

For the reasons set out below, I have exempted certain information in the documents.

6.1 Section 37 of the FOI Act - Documents Affecting Enforcement of Law and Protection of Public Safety

Section 37(2)(b) of the FOI Act provides that documents are exempt from disclosure if its disclosure would, or could reasonably be expected to disclose lawful methods or procedures for preventing, detecting, investigating, or dealing with matters arising out of breaches or evasions of the law the disclosure of which would or could reasonably likely to, prejudice the effectiveness of those methods or procedures.

I consider Document 5 would, or could reasonably be expected to disclose lawful methods or procedures for preventing or detecting breaches or evasions of the law, and that disclosure would, or could reasonably likely to, prejudice the effectiveness of those methods or procedures.

It is noted that the Department's role includes managing the security and integrity of Australia's borders. The Department leads the management of risks to Australia's border in close collaboration with other government agencies, including State and Federal law enforcement agencies. As such, the Department's role includes law enforcement functions.

The disclosure of information within this document would be reasonably likely to impact on ongoing investigative methodology and processes. As well as relationships both domestically and internationally that support Australian government investigative capabilities. The release of this information would prejudice the effectiveness of those methods or procedures, assisting endeavours to evade them and thereby reducing the ability of the Department and other law enforcement agencies to protect the borders of Australia.

I have decided that this information is exempt from disclosure under Section 37(2)(b) of the FOI Act.

7 Legislation

A copy of the FOI Act is available at <https://www.legislation.gov.au/Details/C2017C00251>.

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@border.gov.au

OR

By mail to:
Freedom of Information Section
Department of Immigration and Border Protection
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)

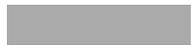
Email enquiries@oaic.gov.au

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 Immigration and Border Protection 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@border.gov.au.

(signed electronically)


FOI Officer | Freedom of Information Section
FOI, Privacy and Records Management Branch
Corporate Services Division
Department of Immigration and Border Protection



SCHEDULE OF DOCUMENTS

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File Number: ADF2017/40907

No.	Date of document	Folio	Description	Relevant legislation (FOI Act)	
1.	undated	1-4	Statistics for Part 1	Released in full	n/a
2.	18 Oct 2016	5-6	Border Watch Section business plan	Irrelevant material deleted	s.22(1)(a)(ii)
3.	09 Nov 2016	7-15	Border Intelligence Fusion Centre Overview (Powerpoint)	Irrelevant material deleted	s.22(1)(a)(ii)
4.	20 Jan 2017	16-19	Border Intelligence Fusion Centre business Plan 2017	Irrelevant material deleted	s.22(1)(a)(ii)
5.	undated	n/a	Border Watch Allegations referrals matrix	Exempt In full	s.37(2)(b)