

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 1

Program: Whole-of-Portfolio

Question No. SBE14/122

Senator Ludwig asked the following written question from the 20 November and 11 December 2014 hearings.

The following questions relate to requests made pursuant to the Freedom of Information Act (the Act)

Consultations with other Departments, Agencies and the Minister

1. Other than for the purpose of discussing a transfer under section 16 of the Act, does the Department consult or inform other Departments or Agencies when it receives Freedom of Information requests?
2. If so, for each instance provide a table setting out the following information:
 - a. The Department or Agency which was consulted;
 - b. The document;
 - c. The purpose of the consultation;
 - d. Whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension;
 - e. Whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension
3. Other than for the purposes of discussing a transfer under section 16 of the Act, has the Department consulted or informed the Minister's office about Freedom of Information requests it has received?
4. If yes, provide a table setting out the following information:
 - a. The requests with respect to which the Minister or Ministerial office was consulted;
 - b. The Minister or Ministerial office which was consulted;
 - c. The purpose of the consultation;
 - d. Whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension;
 - e. Whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension
 - f. Whether any briefings (including formal briefs, email briefings and verbal briefings) were provided to the Minister's office.

Staffing resources

1. The following questions relate to the period from 18 September 2013:
2. For the period of time from 18 September 2013, what was the average FTE is allocated to processing FOI requests?
3. FOI Disclosure Log
4. For the purposes of meeting its obligations under 11C of the Act, does the Department or Agency:

- i. Maintain a webpage allowing download of documents released under section 11A (direct download)?
 - ii. Require individuals to contact the Department or Agency to ask for the provision of those documents (request for provision)?
 - iii. Facilitate to those documents in a different manner (if so, specify).
5. If the Department or Agency has moved from a system of meetings its 11C obligations by direct download, to a system of meeting those obligations by request for provision, provide the following information:
 - i. The dates for which documents were made available for direct download, and the dates for which documents were made available through request for provision;
 - ii. The total number of direct downloads of documents released under 11A the Departmental or Agency website;
 - iii. The total number of requests for provision to documents that had been directly received, and how many had been processed by [date]?
 - iv. What was the average FTE allocated to monitoring incoming email, collating and forwarding documents providing under a request for provision?
 - v. What was the approximate cost for salaries for the FTE staff allocated to this task?
6. Has the Department or Agency charged any for access to a document under section 11C(4)?
7. If so, please provide the following information in a table:
 - a. On how many occasions charges have been imposed;
 - b. The amount charged for each document
 - c. The total amount charged;
 - d. What is the highest charge that has been imposed?

With respect to FOI requests:

1. How many documents were assessed (at internal review or - if internal review was not requested - by the original decision maker) as conditionally exempt?
2. Of those, how many were:
 - a. Released in full
 - b. Released in part
 - c. Refused access on the grounds that release of the document would be contrary to the public interest
 - d. Other (please specify)

The answer to the honourable senator's question is as follows:

Requests made to the Attorney-General's Department and portfolio agencies under the *Freedom of Information Act 1982* (FOI Act) are dealt with in accordance with the FOI Act.

Providing the level of detail requested for the portfolio would involve an unreasonable diversion of resources.