



Bob Buckley

Via email: foi+request-12035-b5b2a4e4@righttoknow.org.au

Dear Mr Buckley

Freedom of Information Request 51700 – Notice of intention to refuse

I refer to the *Freedom of Information Act 1982 (FOI Act)* request made to the Department of Social Services (**the Department**) on 16 September 2024. The request seeks access to:

all documents generated since 1 July 2020 that relate to policy development, program implementation, and general attitudes for disability advocacy for individual Autistic Australians.

I am authorised to make decisions in respect of FOI requests under subsection 23(1) of the FOI Act.

Practical refusal reason

This request seeks every document that relates to policy development, program implementation, and general attitudes for disability advocacy for individual Autistic Australians generated in the past 4 years. Included within these documents would be every email that has a passing reference to the subject matter within the timeframe, and we can comfortably say that it would amount to thousands of documents.

I consider that the Department has limited capacity to process a request of this size. For this reason the work involved in processing the request would substantially and unreasonably divert the resources of the Department from its other operations.

In accordance with s 24(1) of the FOI Act, I consider that a practical refusal reason exists in relation to the request for access to documents.

Request consultation process

Under section 24(1)(b) of the FOI Act, the Department is required to provide you with the opportunity to revise the scope of your request so that a 'practical refusal reason' no longer exists. One way you could achieve this is to refine the scope of your request, for example by specifying more specific types of documents or subject matter that you are interested in and specifying a shorter timeframe that they were generated within. We also suggest not using the words *relate* or *related* within the scope of the request as this can tend to increase its size significantly.

In our prior correspondence we suggested refining the scope of your request to:

Formal reports and reviews that discuss advocacy service availability and provisions for Autistic Australians.

You advised that this scope was too limited for the information you are seeking, but this is an example of a more limited request that you could make if you were so minded.

Please note that refining the scope of the request may remove the practical refusal reason, but does not necessarily mean that any documents subject to the request will be released in part or in full.

Next steps

Should you wish to revise the request, you must do so **within 14 days** after the day you are sent this notice. The 14 day deadline ends at **11:59pm on 7 October 2024** by which time you are required to take one of the below actions. If you are unable to meet this deadline and require an extension of time to discuss ways to revise the scope of your request, please contact the FOI Section by email at foi@dss.gov.au.

In accordance with subsection 24AB(6) of the FOI Act, you must, before the end of the 14-day consultation period, do one of the following by written notice to the department:

- a) withdraw the request;
- b) make a revised request; or
- c) indicate that you do not wish to revise the request.

Please note that under subsection 24AB(7), the request is taken to have been withdrawn at the end of the 14 day consultation period if:

- a) the applicant does not consult the contact person during the consultation period in accordance with this notice; or
- b) the applicant does not do one of the things mentioned in subsection(6) before the end of the consultation period.

In accordance with subsection 24AB(8) of the FOI Act, the 14-day consultation period is to be disregarded in calculating the processing period for the request.

Yours sincerely



Sarah B

Authorised FOI Decision Maker

23 September 2024