



November 2024

ADS

Right to Know

By email: foi+request-12227-ce1fe2a3@righttoknow.org.au

Dear ADS

RE: Freedom of Information Request – Notice of intention to refuse request

I refer to your request received by the Department of Foreign Affairs and Trade (the department) on 26 October 2024 for access under the *Freedom of Information Act 1982* (the FOI Act) to:

During Scott Morrison's time as PM Australia changed the longterm voting trend at the UN on several notable issues despite the official policy not changing on these issues. I seek internal correspondence regarding the relevant policies for this in general and the reasons to justify this in particular relating to whether specific groups have a right to self determination.

Notice of intended practical refusal

In accordance with section 24AB(2) of the FOI Act, I am providing you notice of my intention to refuse access to the documents captured by your request.

The reason for the proposed practical refusal is that your request does not satisfy the requirement in section 15(2)(b) of the FOI Act to provide such information concerning the document as is reasonably necessary to enable a responsible officer of the department to identify it (section 24AA(1)(b) of the FOI Act).

Having reviewed your request and having consulted the Department of the Prime Minister and Cabinet, I am of the view that you have not provided sufficient information to allow the department to identify the documents you seek, as it is unclear what policy documents you are wishing to access. Your reference to Australia's voting trend at the United Nations on several issues does not provide a responsible officer of the department to identify specify what documents you are seeking access to.

On 5 and 7 November 2024, the department contacted you by email in an attempt to clarify the scope of your request. To date, we have not received a response from you.

Having reviewed your request, I am of the view that you have not provided sufficient information to allow the department to identify the documents you seek and we have been unable to identify any relevant line areas within Australia or any overseas Embassies or High Commissions that could be tasked with searching for documents.

Sections of the FOI Act referred to in this notice are accessible at www.legislation.gov.au.

Consultation to revise the scope of the request

Pursuant to sections 24AB(2)(e) and 24(6) of the FOI Act, you have 14 days from the day you are given this notice to:

- a. withdraw your request,
- b. revise the scope of your request in such a way that enables officers of the department to identify areas of the department that can be tasked to undertake search for relevant documents, or
- c. inform the department that you do not wish to revise your request.

I invite you to contact me (via foi@dfat.gov.au) should you wish to revise the request in order that it may be processed. I am happy to take any reasonable steps to provide you, as far as is reasonably practicable, with any information to assist you in doing so.

In your consideration of a revised scope, you may wish to consider:

- Specifying which policy documents you are seeking access to; and
- Specifying which issues you are seeking documents about; and
- Providing a specific timeframe for the documents you are seeking access to.

Please note that under section 24AB(7) of the FOI Act, if you do not *consult the contact person during the consultation period, make a revised request or indicate that you do / do not wish to revise the scope of your request*, your request will be considered to have been withdrawn.

Please also be aware that during this period of consultation, the statutory timeframe under section 15(5) of the FOI Act for the processing of your request is on hold (see section 24AB(8) of the FOI Act for details).

Contact

Should you have any queries regarding this decision please contact the Freedom of Information Section by email: foi@dfat.gov.au.

Yours sincerely

Brooke King
Director
Freedom of Information Section