



# AFP

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Our Ref: LEX 3307

13 December 2024

Andrew

Email: [foi+request-12259-00181ca9@righttoknow.org.au](mailto:foi+request-12259-00181ca9@righttoknow.org.au)

Dear Andrew,

### **Freedom of Information request**

I refer to your request dated 3 November 2024 made under the *Freedom of Information Act 1982* (the Act).

Attached at Annexure A to this letter is my decision and statement of reasons for that decision.

Yours sincerely

Casey  
Freedom of Information Team Leader  
Commercial, Governance and Information  
Chief Counsel Portfolio

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**Freedom of Information**

/ GPO Box 401 Canberra City ACT 2601

/ Email: [foi@afp.gov.au](mailto:foi@afp.gov.au)

**STATEMENT OF REASONS RELATING TO AN FOI REQUEST BY  
ANDREW**

I, Casey, am an officer authorised under section 23 of the *Freedom of Information Act 1982* (Act) to make decisions in relation to the Australian Federal Police (AFP). What follows is my decision and reasons for the decision in relation to your request.

**A. BACKGROUND**

1. On 3 November 2024, the AFP received your request in the following terms:

*"I am seeking access to the 2022 COVID-19 Safety Risk Assessment conducted by the AFP noted in its submission to the COVID-19 Response Inquiry.*

*Specifically, I am interested in the accessing the external advice/briefings received by the AFP to make the determination in this risk assessment of COVID-19 vaccination's role in protecting the community against COVID-19."*

2. On 2 December 2024, you were notified that information requested is available on the AFP Disclosure Log. The AFP therefore requested your consent to withdraw your request as the information is publicly available.
3. On 3 December 2024, the statutory time period in which to provide you with a decision expired, and your request was therefore deemed refused by the agency.

**B. SEARCHES**

1. Searches for documents were undertaken by the following areas with responsibility for the documents you request:
  - a. Office of Chief Medical Officer;
  - b. Office of CNON; and
  - c. The relevant AFP members.
2. Searches conducted of the AFP Disclosure Log identified that the information you have requested is available within the documents released in response to a previous Freedom of Information request made to the AFP, LEX 1541.

**C. DECISION**

1. Documents have been released in part in response to a previous Freedom of Information request that contains the information you are seeking.
2. Access to this document can be obtained from the AFP Disclosure Log at <https://www.afp.gov.au/about-us/governance-and-accountability/disclosure-log>.

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**\*\*\*YOU SHOULD READ THIS GENERAL ADVICE IN CONJUNCTION WITH THE LEGISLATIVE REQUIREMENTS IN THE FREEDOM OF INFORMATION ACT 1982\*\*\***

## REVIEW AND COMPLAINT RIGHTS

If you are dissatisfied with a Freedom of Information decision made by the AFP, you can apply for a review of the decision by the Information Commissioner (IC). **As this decision has been made outside the statutory time period, the option of internal review by the AFP is not available as per Section 54E of the FOI Act.**

For complaints about the AFP's actions in processing your request, you do not need to seek review by the IC in making your complaint.

### **REVIEW RIGHTS under Part VII of the Act**

#### **Review by the Information Commissioner**

Section 54L of the FOI Act gives you the right to apply directly to the IC for review of this decision. In making your application you will need to provide an address for notices to be sent (this can be an email address) and a copy of the AFP decision.

Section 54S of the FOI Act provides the timeframes for an IC review submission. For an *access refusal decision* covered by section 54L(2), the application must be made within 60 days. For an *access grant decision* covered by section 54M(2), the application must be made within 30 days.

Applications for IC review may be lodged by email ([foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)), using the OAIC's online application form (available at [www.oaic.gov.au](http://www.oaic.gov.au)) or addressed to:

Office of the Australian Information Commissioner  
GPO Box 5128  
Sydney NSW 2001

The IC encourages parties to an IC review to resolve their dispute informally, and to consider possible compromises or alternative solutions to the dispute in this matter. The AFP would be pleased to assist you in this regard.

#### **Complaint**

If you are unhappy with the way we have handled your FOI request, please let us know what we could have done better. We may be able to rectify the problem. If you are not satisfied with our response, you can make a complaint to the IC. A complaint may be lodged using the same methods identified above. It would assist if you set out the action you consider should be investigation and your reasons or grounds.

More information about IC reviews and complaints is available on the OAIC's website at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

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