

Our ref: FOI-2024/1217085115

14 January 2025

'Nosey Rosey'

By email: foi+request-12583-868aa93d@righttoknow.org.au

Dear Applicant,

Request for documents under the Freedom of Information Act 1982 (Cth)

1. I refer to your email to the Australian Human Rights Commission (the Commission) dated 14 December 2024 making a request under the *Freedom of Information Act 1982 (Cth)* (FOI Act).
2. You requested the following:

All documents, records, data, and supporting material held by [Name of Agency] concerning the sharing of personal information originating from the Department of Veterans' Affairs (DVA) over the last ten years. This includes any data transfers from or to the DVA, whether they were one-off exchanges or ongoing, systematic transfers of DVA client information, including personal, medical, financial, or service-related details concerning veterans or their dependents.

Specifically:

- All records of data sharing arrangements between DVA and [Authority name], including but not limited to memoranda of understanding, service-level agreements, emails, letters, meeting minutes, file transfer logs, internal reports, and instructions that outline what data was shared, when it was shared, and the format or system used for the transfer.
- Any policies, procedures, guidelines, or frameworks that govern how [Authority name] requests, obtains, stores, handles, or uses DVA client information. This includes documents that detail the criteria for approving access to such data, any consent or authorization processes, security controls, and retention or destruction policies.
- Copies of any ethics committee approvals, privacy impact assessments, internal review board decisions, or other documents that reflect deliberations or authorizations for obtaining DVA client information. This includes records that

show the agency considered the ethical, legal, or privacy implications of receiving or using DVA client data.

- Documents that outline the intended uses or practical applications of the DVA client data, such as project proposals, business cases, internal strategy papers, or briefings that explain why [Authority name] sought access to this information, how it was intended to be integrated into the agency's operations, and any expected outcomes or benefits.
- A representative sample (in a suitably de-identified or redacted form) of the data or data fields received, so long as providing this sample does not breach any exemption under the FOI Act. The purpose is to understand the nature and granularity of the information shared, without disclosing identifiable personal details.
- If the only data [Authority name] received pertains solely to data linked to the Centrelink Confirmation eServices (CCeS) arrangements as described at <https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.servicesaustralia.gov.au%2Fcentrelink-confirmation-eservices-cces&data=05%7C02%7Cfoi%40humanrights.gov.au%7Ccfb990d21ab941ae89f608dd1bf2226de%7Cea4cdebd454f4218919b7adc32bf1549%7C0%7C0%7C638697449214007476%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIslAIjXaW4zMilslkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C40000%7C%7C%7C&sdata=vw3SjQ8D%2BdGLqmBtWqP5n%2FG0C7tWKLYd9YmN5xmwkic%3D&reserved=0>, and there were no other forms of DVA data shared, then no CCeS-related data needs to be provided under this request.

3. As your request to addressed and emailed to the Commission, we have taken [Authority name] wherever it appears in your request to mean the Commission.
4. On 19 December 2024, we wrote to you indicating that the scope of your request was broad and unclear, and requested you to discuss this with you over the phone.
5. On 30 December 2024 you responded to the Commission's correspondence indicating you did not consent to any telephone discussions, and rejecting our position that your request was broad and unclear.
6. Consequently, we have interpreted your request within the parameters set out by the specifics you included in your request.
7. I am an officer authorised under s 23(1) of the FOI Act to make decisions in relation to FOI requests on behalf of the Commission.

Searches

8. The Commission conducted searches for documents falling within the scope of your request. This included contacting the Commission's President, Chief Executive, their support personnel, and all Senior Managers and Leaders of each Commission business unit regarding your request.
9. I also undertook key word searches of the Commission's files to locate documents which may have fallen within the scope of your request.
10. No documents were identified as being within the scope of your request.

Decision

11. The Commission can only provide access to documents in its possession or control.
12. On the basis of the searches conducted, which identified no documents within the scope of your request, I have made the decision to refuse access to documents pursuant to section 24A(1)(b)(ii) of the FOI Act, as I am satisfied that the documents you have requested do not exist in the Commission's records.

Avenues of review

13. If you are dissatisfied with my decision or the searches undertaken in connection with your request, you may apply for the decision to be reviewed. There are two methods of review, as set out below. We encourage you to seek internal review first as it may more rapidly resolve your concerns.

Internal review

14. Under s 54 of the FOI Act, you may apply for an internal review of my decision.
15. To do this, you must write to the Commission within 30 days of the date of this letter stating the reasons why you believe the review of the decision is necessary. This correspondence may be sent by email to foi@humanrights.gov.au.

16. The internal review will be carried out by another officer authorised under s 23(1) of the FOI Act to make decisions in relation to FOI requests on behalf of the Commission within 30 days.

Information Commissioner Review

17. Under s 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision.

18. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

Online: [Information Commissioner Review Application Form](#)

Email: foidr@oaic.gov.au

Post: GPO Box 5288, Sydney NSW 2001

19. You may visit the Office of the Australian Commissioner website for more information about a [review by the Information Commissioner](#).

Yours sincerely,



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