



14 February 2025

James Smith, Right to Know

By email: foi+request-12795-47e6d97e@righttoknow.org.au

Dear James Smith

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 31 January 2025 for access under the *Freedom of Information Act 1982* (the FOI Act) to:

'.....any documents relating to the appointment of General (Rtd) Angus Campbell AO as Australia's Ambassador to Belgium, the European Union (EU), the North Atlantic Treaty Organisation (NATO) and Luxembourg.'

I am writing to inform you that the department has identified a large volume of material that would require assessment to determine whether it is suitable for release, the processing of which we assess (for the reasons set out below) *would substantially and unreasonably divert resources of the agency from its other operations.*

However, you are welcome to revise the scope of your request in line with section 24AB(2)(e) of the FOI Act, so that it might be processed.

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

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 to grant access to a documents in accordance with your request.

The reason for the proposed practical refusal is that the work involved in processing the request as it currently stands *would substantially and unreasonably divert the department's resources from its other operations.*

In making this assessment, I have had regard to the time and resources required to process the request, pursuant to section 24AA(2) of the FOI Act, including the resources involved in searching for documents, collating documents, examining the documents, consulting with third parties, redacting material from the documents and preparing a final decision. I have

been assisted in this task to date by staff in the Protocol and Events Branch and the People Operations Branch, with an overseas Embassy yet to provide documents.

Preliminary searches have captured 191 documents and over 339 pages of records. The documents would then need to be manually assessed to determine which documents are within scope of the request and whether they are suitable for release. Given the volume of pages currently captured in your request and, using the Australian Government Solicitor Charges Calculator, I estimate the time required to process your request to be at least 40 hours. This incorporates time undertaken to complete searches to date, examine relevant pages for decision making at 3 minutes per page, redact pages that are partially or wholly exempt at 2 minutes per page and that the decision makers assessment of the material inclusive of all pages. As there are potentially further documents outstanding, I consider this to be a conservative estimate.

For these reasons, I am of the view that processing your request in its current form *would substantially and unreasonably divert the resources of the agency from its other operations* and therefore a practical refusal reason exists within the meaning of section 24AA(1) of the FOI Act.

Consultation to revise the scope of the request

Pursuant to section 24AB(2)(e) 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, 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.

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

- Specifying the documents you are seeking, for example, the final signed appointment document package,
- Limit your request to exclude media releases or documents relating to media releases,
- Limiting your request to exclude emails.


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

A handwritten signature in black ink, appearing to read "J. McNamara", followed by a long horizontal flourish.

Joe McNamara
A/g Director
Freedom of Information Section