



Australian Government

Department of Education, Employment and Workplace Relations

National Office

Senator the Hon. Eric Abetz
Leader of the Opposition in the Senate
Senator for Tasmania

By email:

Dear Senator

Thank you for your correspondence dated 19 July 2012, in which you made inquiries in relation to the Department of Education, Employment and Workplace Relations' (the department) practice of using 'no colour' to redact material from a document where that material is exempt from release under the *Freedom of Information Act 1981* (the FOI Act).

In your correspondence you refer to your request under the FOI Act dated 10 April 2012. You state that the redactions in those documents, made in white, make it difficult for you to "easily see where that information formerly existed".

It is the department's practice that where material has been redacted from a document, the department provides the applicant with a schedule that outlines where information has been redacted and the reasons why it has been redacted. In accordance with this practice, in its decision, the department provided you with a schedule of documents detailing where information had been redacted.

By way of explanation, since 2011, the department has used Adobe Acrobat X Pro software to redact material from documents where that material is exempt from release under the FOI Act.

When outlining material to be redacted, Adobe Acrobat X Pro provides an option for the removed text to have a fill colour inserted. The department, in an effort to keep printing costs down, uses 'no colour'. Printing with a black fill would increase the printing costs to the department at a time when cost savings are being sought across the department.

Prior to the use of Adobe Acrobat X Pro, the long-standing practice of the department, since at least the early 2000's, was to use white redacting tape which was placed over the exempt material. This was then photocopied to produce the documents for release. The result was similar to the current practice.

The FOI Act does not prescribe the manner in which redactions are to be made from material to be provided to an FOI applicant. Across the Commonwealth there are a range of methods by which agencies redact material.

I note that the Secretary undertook to give consideration to changing the department's practice rather than committing to do so. Having given the matter some consideration the department, for the reasons outlined above, does not intend to change the way in which exempt material is redacted from documents released under the FOI Act.



With regard to the Secretary's statement in relation to redactions made during the Senate Estimates Hearing held on Tuesday, 29 May 2012, we note that Ms Paul's statements were made specifically in relation to the department's Incoming Minister Brief (IMB) prepared for Mr Bill Shorten MP. As that IMB was released outside of the FOI Act, it did not contain a schedule of documents detailing the locations of redactions. If it would assist you, the department would be happy to provide you with such a schedule.

We hope that you find this explanation helpful. Please contact me on (02) 6240 4914 if you would like to discuss this matter.

Yours sincerely

Alan Grinsell-Jones
Senior Executive Lawyer/ Branch Manager
Freedom of Information, Privacy and People Branch
Legal and Investigations Group

5 September 2012

