

## Exempt information in ASIO records

### Access to ASIO records

The National Archives in Canberra holds many records of the Australian Security Intelligence Organisation (ASIO). ASIO is the Commonwealth government agency responsible for collecting and evaluating security intelligence relevant to Australia's domestic security.

ASIO records held by the National Archives relate principally to the investigation and surveillance of individuals, groups and organisations. Most are paper files, but also included is some film, photographic material and sound recordings. ASIO records, like most other Commonwealth records, are eligible for public release under the [Archives Act 1983](#), once the record reaches the open access period. Please see *Fact sheet 10 – Access to records under the Archives Act* for more information.

### Sensitive information in ASIO records

Because of their nature, ASIO records contain much information which remains exempt from public access beyond the open access period. The Archives Act requires the release of all information that is not exempt and, before the records are released, they are examined to identify any information that needs to be withheld from public access under one of the 16 'exemption categories' described in section 33 of the Act.

Information withheld from ASIO records falls into two categories, described as peripheral or substantive exemptions.

### Peripheral exemptions

Peripheral exemptions consist of:

- names and signatures of present and former ASIO officers;
- certain ASIO file numbers and some information identifying the organisation structure of ASIO; and
- codes which identify ASIO's intelligence sources, or which indicate ASIO's evaluation of the reliability of the intelligence, and code words.

Peripheral exemptions appear on the great majority of pages within ASIO files and in many cases several such exemptions occur on each page. They often require only the deletion of one or two words and do not usually affect the substance (ie subject matter) of the folio.

## **Substantive exemptions**

Substantive exemptions are typically applied to information which:

- identifies confidential sources of information, including individuals and organisations;
- reveals ASIO's operational procedures and techniques; or
- reveals information-sharing relationships between ASIO and foreign or domestic security organisations. This usually extends to the shared information itself.

Substantive exemptions often apply to the subject matter of a page and may result in a block of text, or sometimes the whole page, being withheld.

## **Your right to apply for a review of the exemptions**

If your application for access to an ASIO record is wholly or partially refused you have the right to apply to the National Archives for a review (an internal reconsideration) of the decision. You may wish to limit your application to:

- only substantive exemptions. In most cases this significantly reduces the number of folios that must be reviewed; or
- only certain pages on the file, eg only wholly exempt pages.

If you agree to this, please let a reference officer know, or write 'substantive only' on your internal reconsideration application form, and/or specify the pages you wish to be reviewed.

## **Review of older exemptions**

There has been significant liberalisation of ASIO policy on access to its archival records over the years and it may now be possible to release information that was previously exempted from ASIO files. The National Archives and ASIO, therefore, have agreed to simplify the review of these older exemptions.

If you are considering an appeal against exemptions on an ASIO file, first check the date of decision entered against the item on RecordSearch. This indicates when the file was last examined. If the decision date is *later than* 31 December 1996, please complete an 'ASIO update file request form' available in any of our research centres. If the decision date is 31 December 1996 *or earlier*, simply lodge an application for access with the National Archives. Please specify if you are willing to limit your application to substantive exemptions, or to only certain pages within the file. You may also request that ASIO assess for public release, and add to the file, any material that has come into the open access period since the file was first released.

Once the file has been re-examined and you have been notified of the result, you may then apply for an internal reconsideration of any remaining exemptions, if you still wish to do so.

We emphasise that you are under no obligation to limit the scope of your access application or internal reconsideration application if you do not wish to do so.

Further information about ASIO records is available in:

- *Fact sheet 33 - Security intelligence records held in Canberra*
- *Fact sheet 53 - Personal information in ASIO records*