



Our ref: LEX 2192

13 November 2023

Iain Peterson (Right to Know)

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Dear Mr Peterson

Internal review - Freedom of Information decision

I refer to your request for internal review of the AFP's decision dated 6 August 2023 that was provided to you on 9 August 2023.

The decision advised you:

Internal review by the AFP
Section 54 of the FOI Act gives you the right to apply for internal review of this decision. No particular form is required to make an application for internal review, however, an application needs to be made in writing within 30 days of this decision.

Your request for internal review was made outside of the 30 day timeframe provided by the *Freedom of Information Act 1982* (the Act). On that basis, an internal review of the decision cannot be conducted. However, I take this opportunity to respond to the comments you made when you requested internal review, as follows.

In relation to your belief that not all relevant documents under the Act have been released, I have reviewed the bundle of documents that was initially assessed as potentially within the scope of the request, and the documents the subject of the final decision. I am satisfied that the documents that were found not to be within the scope of the request, were not within the scope of the request. The documents within the scope of the request were intermingled with the document bundle initially assessed by the decision maker.

In relation to your belief that releasing documents provided by a third party would not damage international relations, I advise that the United States Department of Homeland Security was consulted in relation to your request, concerning documents they provided to the AFP and their views were taken into account in making the decision. I am satisfied having regard to those views that the release of the documents would damage international relations.

Yours sincerely

Adam Anastasi
Deputy General Counsel (Commercial, Governance, and Information)
Commercial, Governance and Information Section
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