



Australian Government

Department of the Prime Minister and Cabinet

ONE NATIONAL CIRCUIT
BARTON

FOI

FOI/2012/097

Mr Mark Farrell
c/o
Email: foi+request-14-d06cd042@righttoknow.org.au

Dear Mr Farrell,

Thank you for your email of 15 November 2012 addressed to the Prime Minister seeking under the *Freedom of Information Act 1982* (the FOI Act) the following:

- information on the number of written requests and formal representations since 1990 from citizens and organisations to the Office of the Prime Minister and the Department of the Prime Minister and Cabinet requesting a Royal Commission into abuse of children in institutionalised care.
- resulting information to be broken down by government and by year.

The Department receives FOI requests for both the Department and the Prime Minister via foi@pmc.gov.au. As the Department provides administrative support to the Prime Minister in relation to FOI requests made to her, I am writing to advise you of further information on the processing of your request, set out below.

The FOI Act provides a mechanism to transfer requests to another agency where the subject-matter of the request is more closely connected with the functions of that agency. This ensures that a decision on the request is made by the most appropriate agency. Accordingly, the Office of the Prime Minister (PMO) has sought to transfer the request to the Department in full on the basis that the request is more closely connected with the Department's functions because:

- the PMO would not have any documents prior to Ms Gillard becoming Prime Minister (noting you have sought documents since 1990) and would expect any such documents would have been forwarded to the Department for handling;
- the PMO would have forwarded any relevant documents received to the Department for handling; and
- the request also relates to documents sent to the Department (in addition to documents sent to the PMO).

The Department has accepted transfer of your request (in full), in accordance with paragraph 16(1)(b) of the FOI Act, to make a decision in relation to relevant documents held on the grounds that the documents you are seeking are more closely connected to the functions of the Department.

Your request was transferred to the Department on 15 November 2012. The processing time for your request does not change on the basis that it has been transferred to the Department.

The Department will write again in due course. Should you wish to discuss any aspect of your request, I can be contacted by telephone on (02) 6271 5849.

Yours sincerely



Jo Jackson
Adviser
Legal Policy Branch

28 November 2012