



**CDPP**

*Australia's Federal Prosecution Service*

Commonwealth Director  
of Public Prosecutions

GPO Box 3104  
Canberra ACT 2601  
4 Marcus Clarke Street  
Canberra City ACT 2600

Telephone **02 6206 5666**  
Facsimile 02 6257 5709  
[www.cdpp.gov.au](http://www.cdpp.gov.au)

Sent by Email: 19 July 2016 to [foi+request-2062-8ba4c61b@righttoknow.org.au](mailto:foi+request-2062-8ba4c61b@righttoknow.org.au)

19 July 2016

Dear Mr Sweeney

**FREEDOM OF INFORMATION ("FOI") REQUEST – NOTICE OF DECISION UNDER  
SECTION 26 OF THE FREEDOM OF INFORMATION ACT 1982 ("FOI ACT")**

I refer to your email correspondence dated 17 July 2016 in which you made a request for access to information pursuant to the *Freedom of Information Act 1982* (Cth) ("the Act").

Specifically, you requested the following:

*"Following the provision of a large number of documents from IOOF by a whistleblower to ASIC, ASIC commenced an investigation into IOOF where allegations of insider trading and "front running" were made.*

*This investigation was reported in Fairfax Media.*

*The documents I seek are copies of any correspondence between ASIC and the Office of the CDPP in relation to the IOOF investigation and specifically related to whether there was sufficient evidence to hand for the Office of the CDPP to commence legal proceedings against any current or former employees or directors of IOOF or subsidiary companies.*

*The names and any personal details of any persons mentioned in such correspondence can be redacted."*

**AUTHORISATION**

I am a person authorised by the Commonwealth Director of Public Prosecutions to make decisions on requests for access to documents under the FOI Act. My name and position are:

Naomi Buick  
Senior Federal Prosecutor  
Canberra Office

## DECISION AND REASONS FOR DECISION

After conducting a comprehensive search of all CDPP records I have been unable to locate any documents relating to your request.

Accordingly, pursuant to section 24A (1) of the FOI Act, I am refusing your request for access for documents on the basis that the documents you requested do not exist,

## RIGHTS OF REVIEW

Under section 26 of the FOI Act I am required to inform you of your rights of review.

Section 54 of the FOI Act gives you the right to apply for an internal review of the decision refusing to grant access to documents. There is no application fee however the application for internal review of the decision must be made in writing within 30 days of receipt of this letter. No particular form is required but it is desirable to set out in the application the grounds on which you consider that the decision should be reviewed. An application may be sent to [foi@cdpp.gov.au](mailto:foi@cdpp.gov.au) or to the following postal address:

FOI Coordinator  
Commonwealth DPP  
4 Marcus Clarke Street  
Canberra City ACT 2601

If the decision on internal review goes against you, you are entitled to seek a review of that decision by the Information Commissioner.

Alternatively, you are entitled to bypass the internal review process and make an application directly with the Office of the Information Commissioner pursuant to section 54L of the FOI Act.

An application to the Information Commissioner may be made in writing and should be directed to the following address:

Information Commissioner (Reviews)  
GPO Box 5218  
SYDNEY NSW 2001

The information Commissioner also accepts online requests via their website. You can locate the relevant form at [www.oaic.gov.au](http://www.oaic.gov.au)

Yours faithfully



Naomi Buick