



## Office of the Attorney-General

Mr Ben Fairless  
Right to Know

By email: [foi+request-2353-6d23c514@righttoknow.org.au](mailto:foi+request-2353-6d23c514@righttoknow.org.au)

Dear Mr Fairless

### **Freedom of Information Request AGO-FOI 2016/28**

I refer to your email of 19 October 2016 in which you made a request to the Attorney-General under the *Freedom of Information Act 1982* (the *FOI Act*) in the following terms:

*a copy of all inbound and outbound chats in the 7 days prior to this request that was sent or received from the minister using any of the below applications:*

- *WhatsApp*
- *Facebook Messenger*
- *Signal*
- *Telegram*
- *Grindr*
- *Scruff*
- *Tinder*
- *Email Accounts without a .gov.au email address*

I am an officer authorised to make decisions under s 23(1) of the FOI Act.

### **Notice of practical refusal reason**

On 23 November 2016, I wrote to you setting out why I proposed to refuse your application pursuant to s 24AA of the FOI Act.

You responded on 24 November 2016, asking how you could narrow the terms of your request. In your response, you did not indicate how, if at all, you proposed to do so.

In any event, for the reasons set out in my earlier decision letter, and for the additional reasons given below, I confirm my earlier decision that a practical refusal reasons exists pursuant to s 24AA of the Act.

## **Reasons for intention to refuse your request**

Your request would require a staff member in this office to obtain the Attorney-General's mobile device and review it to determine:

- first, whether any of the applications listed in your application are on the device;
- second, locate the relevant dates in your application; and
- third, apply the provisions of the FOI Act to relevant communications.

As your request cannot be accommodated other than by examining the Attorney-General's device, you will appreciate that such a request necessarily interferes with the performance of the Attorney-General's functions by separating him from his device for considerable periods of time.

Should you wish to discuss any aspect of your request, please contact this office.

Yours sincerely



**James Lambie**  
Chief of Staff

15 JUN 2017