

Our reference: 170520
Your reference:



25 November 2016

Department of
Justice and Attorney-General

Mitchell

By email: foi+request-2367-8ed2bfbe@righttoknow.org.au

Dear Mitchell

I refer to your application under the *Right to Information Act 2009* (the RTI Act) received on 20 October 2016 seeking access to:

To obtain an explanation for the term "Her Majesty's Peace", preferably in the form of documentary evidence. To obtain clarification that the term "according to law" refers to common law, preferably in the form of documentary evidence. To obtain an explanation for the above question - 'are Police Officers, in terms of their oaths, obliged to only uphold common law and hence "Her Majesty's Peace"?'.

I also refer to the Department of Justice and Attorney-General's (DJAG) recent letter requesting you send to this office within 15 business days:

- the correct application fee;
- completed Right to Information and Information Privacy Access form; and
- sufficient information to enable us to identify the documents you are seeking to access.

Authority

In accordance with section 30(2) of the RTI Act, I am an officer authorised by the Director-General of DJAG to make decisions under this Act.

Decision

As DJAG has not received the requested items, I have today decided your application for access to information does not comply with the relevant application requirements of the RTI Act, therefore this application file is now closed.

This letter constitutes written notice of my decision, in accordance with section 33(5) of the RTI Act which states:

33 Noncompliance with application requirement

- (5) *If, after giving the opportunity mentioned in subsection (3) and any consultation, an agency or Minister decides the application does not comply with all relevant application requirements, the agency or Minister must, within 10 business days after making the decision, give the applicant prescribed written notice of the decision.*

Review Rights

You are entitled to seek a review under the RTI Act if you disagree with this decision. If you wish to seek an internal review by DJAG, please advise this office in writing within 20 business days after the date of this letter.

State Law Building
50 Ann Street Brisbane 4000
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone 07 3239 3439
Facsimile 07 3006 5929
Website www.justice.qld.gov.au
ABN 13 846 673 994

However, should you wish to bypass the internal review option you are able to seek an external review by the Information Commissioner. Your application for an external review must be lodged with the Information Commissioner in writing within 20 business days from the date of this letter. Applications for an external review should be addressed to:

Office of the Information Commissioner
PO Box 10143
Adelaide Street
BRISBANE QLD 4000
Phone: 3405 1111

For further enquiries please contact this office on telephone number 3227 7618 quoting reference number **170520**.

Yours sincerely



K Goddard
Acting Principal Decision-Maker
Right to Information and Privacy Unit