

**From:** s 47E(d)  
**Sent:** Thursday, 15 March 2018 10:39 AM  
**To:** INFORMATION.ACCESS  
**Cc:** Gent, Alexander; s 47E(d) Katie; Client Liaison Officers  
**Subject:** RE: Freedom of Information request - Number of clients referred to, and managed by, the Client Liaison Unit [TO BE CLASSIFIED] [DLM=For-Official-Use-Only]  
**Categories:** Info Law - to be saved and archived, Info Law - For Case Officer Action

Good Morning

Regarding the below request, it is estimated that the collation of data will involve the following processes and estimation of time as per below.

- Analysis of the number of clients referred and managed in 2016 to present date: 2 hours (from Feb 2016 data available from current case management system aDVance).
- Analysis of the number of clients referred and managed financial years 2013 to 2016: 15 hours (best estimate)

**Total: 17 hours**

Reasons for above estimate:

From 2012 until 2016, the requested data is not readily available on one case management system. Referral data recording for CLU clients did not come into effect until February 2016 when the CLU transferred into CCS and existing CLU clients at that time were linked into the aDVance case management system.

Pre-2016, referrals came primarily from internal email or phone contact from business areas to CLU staff or the AD of the CLU. Referrals also came through the DART process or from client advocates. Pre 2016, the CLU would then make case by case assessments of potential clients based on whether criteria at the time was met and whether CLU management was warranted at that point in time. Referral assessment often occurred in CLU case meetings and or conferences with business areas. These meetings were all usually recorded via internal email summary (Outlook). Referral could occur several times for some individual clients before they may or may not have been brought into the CLU for a single point of contact. Some of this information is likely able to be drawn from in Microsoft Outlook folders but this has never been interrogated before so is not readily available. In addition to Outlook folders, some referral information was stored in CLU containers in TRIM that are no longer used and that only 2 current CLU staff retain access to. Finding and analysing the stats requested below would require one staff member to come offline and to spend approximately 5 hours (or more), searching through 200+ Outlook folders to locate every CLU referral received from August 2012-2016. Where that data was not captured in Outlook, the officer would need to conduct additional searches of identified potential client's UIN in HPE Content Manager, as well as TRIM containers which I estimate would take an additional 2.5 hours (or more).

I hope this helps, please let me know if you need anything else.

Regards

**Sonia** s 47E(d)

Assistant Director (a/g)  
 Coordinated Client Support Program - Victoria  
 Department of Veterans' Affairs  
 GPO Box 9998 Melbourne 2001



Australian Government  
Department of Veterans' Affairs

**From:** Gent, Alexander **On Behalf Of** FOI

**Sent:** Friday, 2 March 2018 11:23 AM

**To:** s 47E(d)

**Subject:** FW: Freedom of Information request - Number of clients referred to, and managed by, the Client Liaison Unit [TO BE CLASSIFIED] [DLM=For-Official-Use-Only]

Dear CLU,

As discussed, the Department has received a request under the Freedom of Information Act. The terms of the request are in the email below. Please note that we will interpret Column B to be a request for 'Number of Clients Referred to the CLU during that period'. Without that insertion, this part of the request would be nonsensical.

To assist us in responding to the request, please provide us at this stage with a detailed estimate of the time that would be required in searching for or retrieving the relevant information. While the applicant has made mention of the information being 'to hand', I am unsure which ANAO reports or other documents (see 'etc.' below) are being referred to.

Happy to discuss.

Kind regards,

Alexander Gent  
Legal Officer  
Information Law  
Legal Services & Assurance Branch  
Department of Veterans' Affairs | [www.dva.gov.au](http://www.dva.gov.au)  
ph (02) 6289 6581 | ext 616581 | e [alexander.gent@dva.gov.au](mailto:alexander.gent@dva.gov.au)

-----Original Message-----

From: Verity Pane [<mailto:foi+request-4403-xxxxxxx@xxxxxxxxxx.xxx.xx>]

Sent: Thursday, 1 March 2018 9:47 PM

To: FOI <s 47E(d)>

Subject: Freedom of Information request - Number of clients referred to, and managed by, the Client Liaison Unit [TO BE CLASSIFIED]

Dear Department of Veterans' Affairs,

Under s 17 of the FOI Act, I seek DVA to compile and create a document (to be disclosed here) detailing the following information for the last five financial years (as well as the current financial year to date):

Column A - Financial Year (FY17/18 (to date), FY16/17, FY15/16, FY14/15, FY13/14, FY12/13)

Column B - Number of Clients Referred during that period

Column C - Number of Clients Managed by CLU during that period

I understand DVA already has this information to hand, given such statistics have for earlier years been reported in ANAO reports etc.

Yours faithfully,

Verity Pane

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Please use this email address for all replies to this request:

foi+request-4403-xxxxxxx@xxxxxxxxxxx.xxx.xx

Is xxx@xxx.xxx.xx the wrong address for Freedom of Information requests to Department of Veterans' Affairs? If so, please contact us using this form:

[https://www.righttoknow.org.au/change\\_request/new?body=dva](https://www.righttoknow.org.au/change_request/new?body=dva)

This request has been made by an individual using Right to Know. This message and any reply that you make will be published on the internet. More information on how Right to Know works can be found at:

<https://www.righttoknow.org.au/help/officers>

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

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s 47E(d)  
ulie

**From:** Verity Pane <foi+request-4403-@xx>  
**Sent:** Monday, 19 March 2018 3:16 AM  
**To:** INFORMATION.ACCESS  
**Subject:** RE: Freedom of Information request - Number of clients referred to, and managed by, the Client Liaison Unit [TO BE CLASSIFIED] [DLM=For-Official-Use-Only]

**Categories:** Info Law - For Case Officer Action

Dear Alexander Gent,

I have reviewed your preliminary assessment of charges decision, which demands payment of \$262.50, but which fails to identify a reasonable basis to justify the claim that 17 hours of search and retrieval time is required, especially when DVA already collects and maintains statistics (which have been reported previously) on CLU numbers.

Can you please provide the basis for justifying the claim of 17 hours search and retrieval time, and explain why if DVA already collects these statistics, such an excessive amount of time has been estimated for retrieval.

Yours sincerely,

Verity Pane

-----Original Message-----

Dear Verity Pane

Please see attached a notice in respect of charges payable in this matter.

Kind regards,

Alexander Gent  
 Legal Officer  
 Information Law  
 Legal Services & Assurance Branch  
 Department of Veterans' Affairs | www.dva.gov.au ph (02) 6289 6581 | ext 616581 | e [email address]

-----  
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 foi+request-4403-xxxxxxx@xxxxxxxxxxx.xxx.xx

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-----

S  
47E(d) Julie

**From:** Verity Pane <foi+request-4403-@xx>  
**Sent:** Thursday, 29 March 2018 1:24 AM  
**To:** INFORMATION.ACCESS  
**Subject:** RE: Freedom of Information request - Number of clients referred to, and managed by, the Client Liaison Unit [TO BE CLASSIFIED] [DLM=For-Official-Use-Only]

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Info Law - For Case Officer Action

Dear Alexander Gent,

Thank you for providing some supporting information for your estimate, but you did not address the question asked, which is that there is evidence that DVA already collects these statistics for both internal and external reporting (as evidenced by their reporting in ANAO report publications and in response to Questions On Notice in Senate Estimates).

If DVA already collects these statistics, it would be an abuse to estimates charges as if you didn't.

Can you please confirm whether DVA has collected such statistics previously, or is it as you seem to try to be passing off, that DVA has never collected statistics on the number of people referred to the CLU at any time.

It would be best to avoid ambiguity- especially if this is to progress to formal review.

Yours sincerely,

Verity Pane

-----Original Message-----

Dear Verity Pane

To identify the material within the scope of your request, a cross-reference of emails in Client Liaison Unit records with records in the containers for relevant clients would be required to identify that the client was referred, the date of the referral and the outcome of the referral. A search of the Department's case management system would also be required to ensure that searches covered all possible data locations.

The estimate of time is based on searching emails and identifying referrals at the rate of 10 minutes for each month of the period requested across the CLU and client containers (10 minutes \* 69 months from July 2012 to March 2018 = 11.5 hours), and interrogating the case management system at the average rate of 20 minutes per financial year (20 minutes \* 6 financial years = 2 hours).

A further 1.5 hours is estimated to identify duplicate referrals and calculate the number of clients managed by the CLU on the first of each month from 1 July 2012 to present.

Preparation of the section 17 document is estimated to take 30 minutes. This incorporates the filling and checking of all cells and the formatting of the document itself.

Yours sincerely

Alexander Gent

<sup>S</sup>  
47E(d) Julie

**From:** Gent, Alexander on behalf of INFORMATION.ACCESS  
**Sent:** Wednesday, 21 March 2018 9:44 AM  
**To:** 'Verity Pane'; INFORMATION.ACCESS  
**Subject:** RE: Freedom of Information request - Number of clients referred to, and managed by, the Client Liaison Unit [TO BE CLASSIFIED] [DLM=For-Official-Use-Only]

**Categories:** Info Law - to be saved and archived

Dear Verity Pane

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Yours sincerely

Alexander Gent  
 Legal Officer  
 Information Law  
 Legal Services & Assurance Branch  
 Department of Veterans' Affairs | [www.dva.gov.au](http://www.dva.gov.au) ph (02) 6289 6581 | ext 616581 | e xxxxxxxx.xxxx@xxx.xxx.xx

-----Original Message-----

From: Verity Pane [mailto:foi+request-4403-xxxxxxx@xxxxxxxxxxx.xxx.xx]  
 Sent: Monday, 19 March 2018 3:16 AM  
 To: INFORMATION.ACCESS <xxxxxxxxx.xxxxxx@xxx.xxx.xx>  
 Subject: RE: Freedom of Information request - Number of clients referred to, and managed by, the Client Liaison Unit [TO BE CLASSIFIED] [DLM=For-Official-Use-Only]

Dear Alexander Gent,

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Alexander Gent  
Legal Officer  
Information Law  
Legal Services & Assurance Branch  
Department of Veterans' Affairs | [www.dva.gov.au](http://www.dva.gov.au) ph (02) 6289 6581 | ext 616581 | e [email address]

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Please use this email address for all replies to this request:  
[foi+request-4403-xxxxxxx@xxxxxxxxxxx.xxx.xx](mailto:foi+request-4403-xxxxxxx@xxxxxxxxxxx.xxx.xx)

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s 22

**File notes**

Date	Type	DVA officer	Timeframe days
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29 Mar 2018	1.2 File note/email	Shihara s 47E(d)	
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Dear Alexander Gent,

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Yours sincerely,

Verity Pane

21 Mar 2018	1.2 File note/email	Shihara s 47E(d)	
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Dear Verity Pane

To identify the material within the scope of your request, a cross-reference of emails in Client Liaison Unit records with records in the containers for relevant clients would be required to identify that the client was referred, the date of the referral and the outcome of the referral. A search of the Department's case management system would also be required to ensure that searches covered all possible data locations.

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Yours sincerely

Alexander Gent

19 Mar 2018      1.2 File      Shihara<sup>s 47E(d)</sup>  
note/email

Dear Alexander Gent,

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Can you please provide the basis for justifying the claim of 17 hours search and retrieval time, and explain why if DVA already collects these statistics, such an excessive amount of time has been estimated for retrieval.

Yours sincerely,

Verity Pane

15 Mar 2018      4. Clock stop      Alexander Gent  
Clock stopped. Reason: charges notice issued

1 Mar 2018      5. Clock start      Alexander Gent      30  
Clock started

s 47E(d)

**Julie**

**From:** s 47E(d) Angela  
**Sent:** Friday, 10 August 2018 4:13 PM  
**To:** FOI  
**Cc:** s 47E(d) Leia; s 47E(d) Amy; s 47E(d) Monika  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]  
**Attachments:** 2015-16 PLA Invoices.xlsx; 2016-17 PLA Invoices.xlsx  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

FOI

I have supplied External Legal Spend below for the Financial Years 15/16 and 16/17. We are still in DRAFT form for 17/18 as we have not finalised final spends.

Furthermore, I have attached \*reporting documents in relation to the breakdown of individual payments. (Names visible, Redaction required)

(\*PLEASE NOTE THAT THIS INCLUDES V1- Departmental Spend, and should not be included)

\*cost do not include Disbursements or Counsel fees

2015-2016	2016-2017	2017-2018
\$6.13 million	\$6.10 million	TBA

Angela s 47E(d)  
Practice Coordinator  
DALAS  
Legal Services & Assurance Branch  
Department of Veterans' Affairs | [www.dva.gov.au](http://www.dva.gov.au)  
Telephone: s 47E(d) | Email: s 47E(d)

s 47E(d)

GPO Box 9998, Canberra ACT 2601



**From:** s 47E(d) Leia **On Behalf Of** Information.Law  
**Sent:** Friday, 27 July 2018 10:28 AM  
**To:** s 47E(d)  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Good morning,

Please see the below email about a recent FOI request we have received seeking a document be created under section 17 of the FOI Act to capture **DVA data regarding external legal services expenditure for the 2015/16,**

2016/17 and 2017/18 Financial Years. Further specifics of the data sought, and an example format as suggested by the applicant, can be found in the below email. I think this request may be better suited for your area to assist.

As the applicant has not agreed to an extension of time to process the request, we are required to issue a decision and the information by 15 August 2018. As such, we would be grateful if you could prepare a document with the information requested by **Friday, 10 August 2018**.

When responding, please advise of any concerns or sensitives you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know as soon as possible, so it can be forwarded on for action.

Thank you for your assistance. Please do not hesitate to contact me if you have any questions about this request.

Kind Regards,

Leia <sup>s 47E(d)</sup>

Assistant Director

Information Law | Legal Services & Assurance | <sup>s 47E(d)</sup>  
ext <sup>s 47E(d)</sup> desks <sup>s 47E(d)</sup>

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From <sup>s 47E(d)</sup> Amy On Behalf Of Information.Law

Sent: Monday, 23 July 2018 2:00 PM

To <sup>s 47E(d)</sup> Jennifer <sup>s 47E(d)</sup>

Cc: <sup>s 47E(d)</sup> Information.Law <sup>s 47E(d)</sup>

Subject: Request for document searches - Due COB 30 July 2018 - FOI 23544 [DLM=For-Official-Use-Only]

Good afternoon,

**Re: FOI 23544 Verity Pane (Right to Know)**

On 16 July 2018, the Department received a request for documents under the *Freedom of Information Act 1982* from Verity Pane via Right to Know. The applicant has not agreed to an extension for the Department to process the request. As such, under the FOI Act we are required to issue a decision and relevant documents to Verity Pane not later than COB 15 August 2018.

For your information, the applicant has sought access to:

In light of recent media reporting and admissions by the Minister in Federal Parliament that the Department spent more than \$0.6m in external legal services fees in regards to just one veteran - Martin Rollins - in relation to DVA's deliberate backdating of a rewrite of a DVA policy to exclude Mr Rollins' receiving a benefit he was entitled to at the time of his applying for it (<http://www.abc.net.au/7.30/dva-secretly-changed-rules-to-deny-veterans-claim/9883774>) there is a public interest in understanding how the Department is expending public funds on external legal services.

While the Department reports just one summary total of expenditure on external legal services in its annual reports, this is clearly insufficient and far too opaque to understand what the Department is spending on external legal costs for individual matters. While this information does indicate the Department spends between \$7m - \$10m on external legal services roughly every financial year, it gives no indication whether it may relate to only a small number of individual veterans or many or what the Department roughly spends per legal issue - which is important to understand when considering if the claims that the Department is combative and litigious are overstated or not.

Certainly the recent admission (initially refuted) that the Department has spend in excess of half a million dollars, litigiously, to defend this backdated change of policy to deny Martin Rollins a benefit that existed at the time he applied for it (and ironically this legal expenditure many hundreds of thousands of dollars greater than the benefit

he was otherwise entitled to receive), raises public interest questions whether such excessive external legal expenditure is endemic or is a one off isolated case.

To that end, under FOI, I seek under s 17 of the FOI Act for a summary document to be created (so as to avoid unnecessary disclosure of irrelevant Departmental information) from data in the Departments financial and information management systems, to break down these global external legal services expenditure, so that greater transparency is given.

I seek a breakdown to be provided for the last three financial years - FY17/18, FY16/17, and FY15/16 - and to be broken down to matters involving individual veterans and other. Where matters involved individual veterans, this should be further broken down to stating the cumulative external legal services expenditure per veteran involved (with each veteran referred to by pseudonym - so first veteran is Veteran A, next is Veteran B, and so on). In order to reduce burden, where external legal expenditure involving an individual veteran is below \$10K cumulative for each financial year, they may be reported as a group (as the interest is in excessive external legal expenditure). An example of the layout I seek is below:

	FY17/18	FY16/17	FY15/16
	\$	\$	\$
Other			
Veteran A			
Veteran B			
etc			
Veterans >\$10K			

#### Requested action

As it is the responsibility of line areas to conduct searches for potentially relevant documents, we would be grateful if you could undertake searches for documents and provide them to Information Law by **COB Friday, 30 July 2018**.

Please use the attached template to advise what searches were undertaken and to list all documents that fall within the scope of the request.

Please note that line areas are required to provide relevant documents to Information Law even if the line area is of the view that the documents should not be released. When responding, please advise of any concerns or sensitivities you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know so it can be forwarded on for action.

More information about the applicant and the request is contained within the attached template. We appreciate your assistance with this request. If you have any questions please do not hesitate to contact me to discuss.

Kind Regards,

Amy **s 47E(d)**

Information Access Assistant

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

**s 47E(d)**

E: [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au)

GPO Box 9998 Canberra ACT 2601

**s 47F**



s 47E(d) Julie

**From:** s 47E(d) Monika  
**Sent:** Wednesday, 29 August 2018 11:00 AM  
**To:** Information.Law s 47E(d) Paul  
**Cc:** DALAS  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]  
**Attachments:** FOI Copy of 2015-16 PLA Invoices.xlsx

Leia

Please find attached a copy of External Legal Services expenditure for CLIENTS only. We have removed all Departmental spends and non-client payments. We have also included, per month, total amount per client expenditure. This has been cleared by Kristy s 47E(d) a/g General Counsel.

Please note that AAT litigation came into Legal Services and Assurance Branch part way through 2015/16 and thus isn't captured in the spreadsheet. In understand that at that point in time the AAT litigation expenditure was paid via Defcare.

Paul  
 can you please provide Leia with the requested external legal expenditure for 2015-16. I think there will be a need to extract the relevant information against the relevant SRCA and MRCA cost centres in DOLARS. I apologise for the short notice, but the data is due with Leia by COB today.

Thanks

Monika

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**From:** s 47E(d) Leia **On Behalf Of** Information.Law  
**Sent:** Wednesday, 29 August 2018 7:54 AM  
**To:** DALAS s 47E(d)  
**Cc:** Information.Law s 47E(d) George s 47E(d)  
**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi Monika,

Thank you for your email. As per section 17 of the FOI Act, we are required to produce the document requested. If DALAS is unwilling to do so, we kindly ask that DALAS provides the relevant information to enable us to create the document.

As we are not the experts in legal expenditure it would be unclear to us what information in the excel spreadsheet falls within the scope of his request. As such, we would be grateful if you could truncate the excel sheet to only include line items that are relevant to the request. Happy for you to also remove the V1 tabs noting Angela's comments below. We only need to capture external legal expenditure relating to DVA clients, not all legal expenditure. We are willing to gather all the information and then create the document ourselves, but will need DALAS's help to provide the relevant information. For your information, as all personal information is excluded from the scope and only total legal expenditure amounts are to be provided, it is unlikely any exemptions under the FOI Act will be applied.

Thank you for your help, we appreciate it.

Happy to discuss.

Kind Regards,

**Leia**

Assistant Director

Information Law | Legal Services & Assurance | s 47E(d)

ext s 47E(d) | desk s 47E(d)

**From** s 47E(d) Monika **On Behalf Of** DALAS

**Sent:** Monday, 27 August 2018 1:32 PM

**To:** Information.Law s 47E(d)

**Cc:** DALAS s 47E(d)

**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Amy

We are not going to create a new document (as was requested by the FOI applicant). Do you want us to highlight in the attached document anything that is not external legal expenditure and needs to be redacted?

Regards

Monika

**From:** s 47E(d) Amy **On Behalf Of** Information.Law

**Sent:** Monday, 27 August 2018 12:55 PM

**To:** DALAS s 47E(d)

**Cc:** Information.Law s 47E(d)

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi DALAS,

Verity Pane has agreed to revised the scope of their FOI request to the 2015/16 financial year, we would be grateful if you could please provide the information as request in the highlighted section below by COB Wednesday 29 August 2018 as the decision is due to the applicant by 5pm 31 August 2018.

Please note, there is no need to sort the less than or greater than \$10K, we can do that on our end.

Thank you

**Amy** s 47E(d)

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

s 47E(d)

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

GPO Box 9998 Canberra ACT 2601

s 47E(d)





**From** s 47E(d) Leia  
**Sent:** Tuesday, 14 August 2018 8:31 AM  
**To:** Information.Law s 47E(d)  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

**From** s 47E(d) Angela  
**Sent:** Friday, 10 August 2018 4:13 PM  
**To:** FOI s 47E(d)  
**Cc:** s 47E(d) Leia s 47E(d) s 47E(d) Amy <s 47E(d)>; s 47E(d) Monika  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

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2015-2016	2016-2017	2017-2018
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Angela s 47E(d)  
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Telephone: s 47E(d) | Email: s 47E(d)

s 47E(d)

GPO Box 9998, Canberra ACT 2601



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2016/17 and 2017/18 Financial Years. Further specifics of the data sought, and an example format as suggested by the applicant, can be found in the below email. I think this request may be better suited for your area to assist.

As the applicant has not agreed to an extension of time to process the request, we are required to issue a decision and the information by 15 August 2018. As such, we would be grateful if you could prepare a document with the information requested by **Friday, 10 August 2018**.

When responding, please advise of any concerns or sensitives you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know as soon as possible, so it can be forwarded on for action.

Thank you for your assistance. Please do not hesitate to contact me if you have any questions about this request.

Kind Regards,

Leia s 47E(d)

Assistant Director

Information Law | Legal Services & Assurance | s 47E(d)  
ext s 47E(d) | desk s 47E(d)

---

From: s 47E(d) Amy On Behalf Of Information.Law

Sent: Monday, 23 July 2018 2:00 PM

To: Hamer, Jennifer s 47E(d)

Cc: s 47E(d) Information.Law s 47E(d)

Subject: Request for document searches - Due COB 30 July 2018 - FOI 23544 [DLM=For-Official-Use-Only]

Good afternoon,

**Re: FOI 23544 Verity Pane (Right to Know)**

On 16 July 2018, the Department received a request for documents under the *Freedom of Information Act 1982* from Verity Pane via Right to Know. The applicant has not agreed to an extension for the Department to process the request. As such, under the FOI Act we are required to issue a decision and relevant documents to Verity Pane not later than COB 15 August 2018.

For your information, the applicant has sought access to:

In light of recent media reporting and admissions by the Minister in Federal Parliament that the Department spent more than \$0.6m in external legal services fees in regards to just one veteran - Martin Rollins - in relation to DVA's deliberate backdating of a rewrite of a DVA policy to exclude Mr Rollins' receiving a benefit he was entitled to at the time of his applying for it (<http://www.abc.net.au/7.30/dva-secretly-changed-rules-to-deny-veterans-claim/9883774>) there is a public interest in understanding how the Department is expending public funds on external legal services.

While the Department reports just one summary total of expenditure on external legal services in its annual reports, this is clearly insufficient and far too opaque to understand what the Department is spending on external legal costs for individual matters. While this information does indicate the Department spends between \$7m - \$10m on external legal services roughly every financial year, it gives no indication whether it may relate to only a small number of individual veterans or many or what the Department roughly spends per legal issue - which is important to understand when considering if the claims that the Department is combative and litigious are overstated or not.

Certainly the recent admission (initially refuted) that the Department has spend in excess of half a million dollars, litigiously, to defend this backdated change of policy to deny Martin Rollins a benefit that existed at the time he applied for it (and ironically this legal expenditure many hundreds of thousands of dollars greater than the benefit



he was otherwise entitled to receive), raises public interest questions whether such excessive external legal expenditure is endemic or is a one off isolated case.

To that end, under FOI, I seek under s 17 of the FOI Act for a summary document to be created (so as to avoid unnecessary disclosure of irrelevant Departmental information) from data in the Departments financial and information management systems, to break down these global external legal services expenditure, so that greater transparency is given.

I seek a breakdown to be provided for the last three financial years - FY17/18, FY16/17, and FY15/16 - and to be broken down to matters involving individual veterans and other. Where matters involved individual veterans, this should be further broken down to stating the cumulative external legal services expenditure per veteran involved (with each veteran referred to by pseudonym - so first veteran is Veteran A, next is Veteran B, and so on). In order to reduce burden, where external legal expenditure involving an individual veteran is below \$10K cumulative for each financial year, they may be reported as a group (as the interest is in excessive external legal expenditure). An example of the layout I seek is below:

	FY17/18	FY16/17	FY15/16
	\$	\$	\$
Other			
Veteran A			
Veteran B			
etc			
Veterans >\$10K			

#### Requested action

As it is the responsibility of line areas to conduct searches for potentially relevant documents, we would be grateful if you could undertake searches for documents and provide them to Information Law by **COB Friday, 30 July 2018**.

Please use the attached template to advise what searches were undertaken and to list all documents that fall within the scope of the request.

Please note that line areas are required to provide relevant documents to Information Law even if the line area is of the view that the documents should not be released. When responding, please advise of any concerns or sensitivities you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know so it can be forwarded on for action.

More information about the applicant and the request is contained within the attached template. We appreciate your assistance with this request. If you have any questions please do not hesitate to contact me to discuss.

Kind Regards,

Amy s 47E(d)

Information Access Assistant

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

s 47E(d)

E: [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au)

| GPO Box 9998 Canberra ACT 2601

s 47E(d)



s 47E(d)  
Julie

**From:** s 47E(d) Leia on behalf of Information.Law  
**Sent:** Friday, 27 July 2018 10:28 AM  
**To:** DALAS  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]  
**Attachments:** FOI 23544 Search Minute.docx

Good morning,

Please see the below email about a recent FOI request we have received seeking a document be created under section 17 of the FOI Act to capture DVA data regarding external legal services expenditure for the 2015/16, 2016/17 and 2017/18 Financial Years. Further specifics of the data sought, and an example format as suggested by the applicant, can be found in the below email. I think this request may be better suited for your area to assist.

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If you believe the searches would best sit within a different line area please let us know as soon as possible, so it can be forwarded on for action.

Thank you for your assistance. Please do not hesitate to contact me if you have any questions about this request.

Kind Regards,

Leia s 47E(d)  
 Assistant Director  
 Information Law | Legal Services & Assurance | s 47E(d)  
 ext s 47E(d) desk s 47E(d)

---

s 47E(d)  
**From:** Amy On Behalf Of Information.Law  
**Sent:** Monday, 23 July 2018 2:00 PM  
**To:** s 47E(d) Jennifer  
**Cc:** TOP.COORD ; Information.Law  
**Subject:** Request for document searches - Due COB 30 July 2018 - FOI 23544 [DLM=For-Official-Use-Only]

Good afternoon,

**Re: FOI 23544 Verity Pane (Right to Know)**

On 16 July 2018, the Department received a request for documents under the *Freedom of Information Act 1982* from Verity Pane via Right to Know. The applicant has not agreed to an extension for the Department to process the request. As such, under the FOI Act we are required to issue a decision and relevant documents to Verity Pane not later than COB 15 August 2018.

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DVA's deliberate backdating of a rewrite of a DVA policy to exclude Mr Rollins' receiving a benefit he was entitled to at the time of his applying for it (<http://www.abc.net.au/7.30/dva-secretly-changed-rules-to-deny-veterans-claim/9883774>) there is a public interest in understanding how the Department is expending public funds on external legal services.

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Certainly the recent admission (initially refuted) that the Department has spend in excess of half a million dollars, litigiously, to defend this backdated change of policy to deny Martin Rollins a benefit that existed at the time he applied for it (and ironically this legal expenditure many hundreds of thousands of dollars greater than the benefit he was otherwise entitled to receive), raises public interest questions whether such excessive external legal expenditure is endemic or is a one off isolated case.

To that end, under FOI, I seek under s 17 of the FOI Act for a summary document to be created (so as to avoid unnecessary disclosure of irrelevant Departmental information) from data in the Departments financial and information management systems, to break down these global external legal services expenditure, so that greater transparency is given.

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#### Requested action

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If you believe the searches would best sit within a different line area please let us know so it can be forwarded on for action.

More information about the applicant and the request is contained within the attached template. We appreciate your assistance with this request. If you have any questions please do not hesitate to contact me to discuss.

Kind Regards,

<sup>s 47E(d)</sup>  
**Amy**

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

GPO Box 9998 Canberra ACT 2601

<sup>s 47E(d)</sup>

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

<sup>s 47F</sup>





s 47E(d)  
Julie

**From:** s 47E(d) Amy on behalf of Information.Law  
**Sent:** Monday, 23 July 2018 2:00 PM  
**To:** s 47E(d) Jennifer  
**Cc:** TOP.COORD; Information.Law  
**Subject:** Request for document searches - Due COB 30 July 2018 - FOI 23544 [DLM=For-Official-Use-Only]  
**Attachments:** FOI 23544 Search Minute.docx

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.....FY17/18.....FY16/17.....FY15/16

.....\$.....\$.....\$

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 Veteran B  
 etc  
 Veterans >\$10K

#### Requested action

As it is the responsibility of line areas to conduct searches for potentially relevant documents, we would be grateful if you could undertake searches for documents and provide them to Information Law by **COB Friday, 30 July 2018.**

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Kind Regards,

Amy <sup>s 47E(d)</sup>

Information Access Assistant

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

<sup>s 47E(d)</sup>

E: [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au)

GPO Box 9998 Canberra ACT 2601

<sup>s 47F</sup>



Australian Government  
 Department of Veterans' Affairs

s 47E(d)

**Julie**


---

**From:** s 47E(d) Paul  
**Sent:** Friday, 21 September 2018 9:42 AM  
**To:** INFORMATION.LAW  
**Subject:** RE: \*\*\*follow up\*\*\* Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]  
**Attachments:** Copy of legalNOM - Amended Copy.xlsx  
**Categories:** To be saved and archived, Amy

Hi Leia

Please find attached a spreadsheet provided by DOLARS. There were some items deleted as they didn't relate to AAT matters.

Can I be consulted prior to final decision as discussed yesterday please.

Thanks  
 Paul

---

**From:** INFORMATION.LAW  
**Sent:** Thursday, 20 September 2018 3:14 PM  
**To:** s 47E(d) Paul  
**Subject:** \*\*\*follow up\*\*\* Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi Paul,

As discussed just now, I am following up on the below to see when you think you will be able to get the information to us? I will need a bit of time to collate all material and format in the way requested by the applicant, but am happy to provide you with a copy of what I do put together prior to us issuing the decision.

The decision is due by 1 October and I think I will need a minimum of 1 day to pull everything together, so if we could have this information by early next week that would be fantastic.

Many thanks. Please let me know if you have any questions.

Kind Regards,  
 Leia

---

**From:** INFORMATION.LAW  
**Sent:** Thursday, 13 September 2018 10:58 AM  
**To:** s 47E(d) aul s 47E(d)  
**Cc:** DALAS s 47E(d) s 47E(d) , Monika s 47E(d) s 47E(d) Rebecca  
 s 47E(d)  
**Subject:** \*\*\*Extension and follow up on progress\*\*\* Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi Paul,

I wanted to let you know that the OAIC has granted us an extension to process the above FOI request. We now have to issue a decision (with the document requested) **by 1 October**. Are you able to advise how you are going at collating the required data for us?

I will need at least a couple of days prior to the due date to draft the decision and pull all the data together in the format requested. Pending how the data is collated, it is possible exemptions will not apply (noting it is unlikely to reveal anything covered by LPP as they are not singular invoices and it will be difficult to claim exemption under 47G as the total legal costs do not reveal the individual costs associated with particular legal tasks (as you would ordinarily see on invoices). If you have any concerns about release, I am happy to discuss this with you.

Thank you.

Kind Regards,  
Leia

Assistant Director

Information Law | Legal Services & Assurance | s 47E(d)  
ext s 47E(d) desks s 47E(d)

**From:** s 47E(d) Leia **On Behalf Of** Information.Law

**Sent:** Thursday, 30 August 2018 3:57 PM

**To:** s 47E(d) Paul

**Cc:** DALAS ; Information.Law ; s 47E(d) Monika s 47E(d) Rebecca

**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi Paul,

As discussed earlier, I have sought an extension of time through the OAIC to process this request. I have asked to have until 1 October, but they may come back with a reduced timeframe given the applicant's expressed concerns re an extension. I will let you know the outcome once we hear from the OAIC.

Thank you for your help, I really appreciate it.

Kind Regards,

Leia s 47E(d)

Assistant Director

Information Law | Legal Services & Assurance | s 47E(d)  
ext s 47E(d) desk s 47E(d)

**From:** s 47E(d) Paul

**Sent:** Wednesday, 29 August 2018 2:17 PM

**To:** s 47E(d) Monika s 47E(d)

**Cc:** DALAS s 47E(d) ; s 47E(d) Kristy <s 47E(d)> ; Information.Law

<s 47E(d)>

**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Please see attached.

**From:** s 47E(d) Monika

**Sent:** Wednesday, 29 August 2018 12:04 PM

**To:** s 47E(d) Paul s 47E(d)

**Cc:** DALAS <s 47E(d)> Kristy s 47E(d) nformation.Law  
<s 47E(d)>



**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Paul

Can you please action this seeing it is for AAT expenditure.

Thanks

Monika

---

**From:** s 47E(d) aul

**Sent:** Wednesday, 29 August 2018 11:30 AM

**To:** s 47E(d) Monika s 47E(d) ; Information.Law <s 47E(d)>

**Cc:** DALAS s 47E(d) s 47E(d), Kristy <s 47E(d)>

**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Monika

The external legal expenditure recording/payment processes that exist today did not exist for AAT expenditure in 2015-16. Noting the short turnaround time, it might be quickest to contact the Finance team to request their assistance in running a report of the requested information – we used AGS, Sparke Helmore and DLA Piper (later Moray & Agnew) during the relevant period. However, this is unlikely to provide the level of detail requested eg per case costs.

I understand that historical invoices for DRCA & MRCA AAT matters are stored in boxes and located mostly off-site (Portside Vic), as search of which would involve considerable effort and time.

Aside from the above, I would be concerned to ensure commercial confidentiality is observed in consideration of any request for such information.

Regards

Paul

---

**From:** s 47E(d) , Monika

**Sent:** Wednesday, 29 August 2018 11:00 AM

**To:** Information.Law <s 47E(d)> >; s 47E(d) Paul s 47E(d)

**Cc:** DALAS <s 47E(d)>

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Leia

Please find attached a copy of External Legal Services expenditure for CLIENTS only. We have removed all Departmental spends and non-client payments. We have also included, per month, total amount per client expenditure. This has been cleared by Kristy s 47E(d) a/g General Counsel.

Please note that AAT litigation came into Legal Services and Assurance Branch part way through 2015/16 and thus isn't captured in the spreadsheet. I understand that at that point in time the AAT litigation expenditure was paid via Defcare.

Paul

can you please provide Leia with the requested external legal expenditure for 2015-16. I think there will be a need to extract the relevant information against the relevant SRCA and MRCA cost centres in DOLARS. I apologise for the short notice, but the data is due with Leia by COB today.

Thanks

Monika

---

**From:** s 47E(d) Leia **On Behalf Of** Information.Law  
**Sent:** Wednesday, 29 August 2018 7:54 AM  
**To:** DALAS <s 47E(d)>  
**Cc:** Information.Law <s 47E(d)>, s 47E(d) George <s 47E(d)>  
**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi Monika,

Thank you for your email. As per section 17 of the FOI Act, we are required to produce the document requested. If DALAS is unwilling to do so, we kindly ask that DALAS provides the relevant information to enable us to create the document.

As we are not the experts in legal expenditure it would be unclear to us what information in the excel spreadsheet falls within the scope of his request. As such, we would be grateful if you could truncate the excel sheet to only include line items that are relevant to the request. Happy for you to also remove the V1 tabs noting Angela's comments below. We only need to capture external legal expenditure relating to DVA clients, not all legal expenditure. We are willing to gather all the information and then create the document ourselves, but will need DALAS's help to provide the relevant information. For your information, as all personal information is excluded from the scope and only total legal expenditure amounts are to be provided, it is unlikely any exemptions under the FOI Act will be applied.

Thank you for your help, we appreciate it.

Happy to discuss.

Kind Regards,

Leia

Assistant Director  
 Information Law | Legal Services & Assurance | s 47E(d)  
 ext s 47E(d) desks s 47E(d)

---

**From:** s 47E(d) Monika **On Behalf Of** DALAS  
**Sent:** Monday, 27 August 2018 1:32 PM  
**To:** Information.Law s 47E(d)  
**Cc:** DALAS <s 47E(d)>  
**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Amy

We are not going to create a new document (as was requested by the FOI applicant). Do you want us to highlight in the attached document anything that is not external legal expenditure and needs to be redacted?

Regards  
 Monika

---

**From:** s 47E(d) Amy **On Behalf Of** Information.Law  
**Sent:** Monday, 27 August 2018 12:55 PM  
**To:** DALAS s 47E(d)  
**Cc:** Information.Law <s 47E(d)>

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi DALAS,

Verity Pane has agreed to revised the scope of their FOI request to the 2015/16 financial year, we would be grateful if you could please provide the information as request in the highlighted section below by COB Wednesday 29 August 2018 as the decision is due to the applicant by 5pm 31 August 2018.

Please note, there is no need to sort the less than or greater than \$10K, we can do that on our end.

Thank you

Amy <sup>s 47E(d)</sup>

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

<sup>s 47E(d)</sup>

PO Box 9998 Canberra ACT 2601

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

<sup>s 47F</sup>




---

**From** <sup>s 47E(d)</sup> Leia

**Sent:** Tuesday, 14 August 2018 8:31 AM

**To:** Information.Law <sup>s 47E(d)</sup>

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

---

**From:** <sup>s 47E(d)</sup> Angela

**Sent:** Friday, 10 August 2018 4:13 PM

**To:** FOI <sup>s 47E(d)</sup>

**Cc:** <sup>s 47E(d)</sup> Leia <sup>s 47E(d)</sup> ; <sup>s 47E(d)</sup> Amy <sup>s 47E(d)</sup> ; <sup>s 47E(d)</sup> Monika <sup>s 47E(d)</sup>

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

FOI

I have supplied External Legal Spend below for the Financial Years 15/16 and 16/17. We are still in DRAFT form for 17/18 as we have not finalised final spends.

Furthermore, I have attached \*reporting documents in relation to the breakdown of individual payments\_(Names visible, Redaction required)

(\*PLEASE NOTE THAT THIS INCLUDES V1- Departmental Spend, and should not be included)

\*cost do not include Disbursements or Counsel fees

2015-2016	2016-2017	2017-2018
\$6.13 million	\$6.10 million	TBA

Angela <sup>s 47E(d)</sup>  
Practice Coordinator  
DALAS  
Legal Services & Assurance Branch  
Department of Veterans' Affairs | [www.dva.gov.au](http://www.dva.gov.au)  
Telephone: <sup>s 47E(d)</sup> | Email <sup>s 47E(d)</sup>

<sup>s 47E(d)</sup>

GPO Box 9998, Canberra ACT 2601




---

**From:** <sup>s 47E(d)</sup> Leia On Behalf Of Information.Law  
**Sent:** Friday, 27 July 2018 10:28 AM  
**To:** DALAS <<sup>s 47E(d)</sup>>  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Good morning,

Please see the below email about a recent FOI request we have received seeking a document be created under section 17 of the FOI Act to capture **DVA data regarding external legal services expenditure for the 2015/16, 2016/17 and 2017/18 Financial Years**. Further specifics of the data sought, and an example format as suggested by the applicant, can be found in the below email. I think this request may be better suited for your area to assist.

As the applicant has not agreed to an extension of time to process the request, we are required to issue a decision and the information by 15 August 2018. As such, we would be grateful if you could prepare a document with the information requested by **Friday, 10 August 2018**.

When responding, please advise of any concerns or sensitives you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know as soon as possible, so it can be forwarded on for action.

Thank you for your assistance. Please do not hesitate to contact me if you have any questions about this request.

Kind Regards,

Leia <sup>s 47E(d)</sup>  
Assistant Director  
Information Law | Legal Services & Assurance | <sup>s 47E(d)</sup>  
ext <sup>s 47E(d)</sup> desk <sup>s 47E(d)</sup>

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**From** <sup>s 47E(d)</sup> Amy On Behalf Of Information.Law  
**Sent:** Monday, 23 July 2018 2:00 PM  
**To:** <sup>s 47E(d)</sup> Jennifer <sup>s 47E(d)</sup>  
**Cc:** TOP.COORD <sup>s 47E(d)</sup> >; Information.Law <sup>s 47E(d)</sup>  
**Subject:** Request for document searches - Due COB 30 July 2018 - FOI 23544 [DLM=For-Official-Use-Only]

Good afternoon,

**Re: FOI 23544 Verity Pane (Right to Know)**

On 16 July 2018, the Department received a request for documents under the *Freedom of Information Act 1982* from Verity Pane via Right to Know. The applicant has not agreed to an extension for the Department to process the request. As such, under the FOI Act we are required to issue a decision and relevant documents to Verity Pane not later than COB 15 August 2018.

For your information, the applicant has sought access to:

In light of recent media reporting and admissions by the Minister in Federal Parliament that the Department spent more than \$0.6m in external legal services fees in regards to just one veteran - Martin Rollins - in relation to DVA's deliberate backdating of a rewrite of a DVA policy to exclude Mr Rollins' receiving a benefit he was entitled to at the time of his applying for it (<http://www.abc.net.au/7.30/dva-secretly-changed-rules-to-deny-veterans-claim/9883774>) there is a public interest in understanding how the Department is expending public funds on external legal services.

While the Department reports just one summary total of expenditure on external legal services in its annual reports, this is clearly insufficient and far too opaque to understand what the Department is spending on external legal costs for individual matters. While this information does indicate the Department spends between \$7m - \$10m on external legal services roughly every financial year, it gives no indication whether it may relate to only a small number of individual veterans or many or what the Department roughly spends per legal issue - which is important to understand when considering if the claims that the Department is combative and litigious are overstated or not.

Certainly the recent admission (initially refuted) that the Department has spend in excess of half a million dollars, litigiously, to defend this backdated change of policy to deny Martin Rollins a benefit that existed at the time he applied for it (and ironically this legal expenditure many hundreds of thousands of dollars greater than the benefit he was otherwise entitled to receive), raises public interest questions whether such excessive external legal expenditure is endemic or is a one off isolated case.

To that end, under FOI, I seek under s 17 of the FOI Act for a summary document to be created (so as to avoid unnecessary disclosure of irrelevant Departmental information) from data in the Departments financial and information management systems, to break down these global external legal services expenditure, so that greater transparency is given.

I seek a breakdown to be provided for the last three financial years - FY17/18, FY16/17, and FY15/16 - and to be broken down to matters involving individual veterans and other. Where matters involved individual veterans, this should be further broken down to stating the cumulative external legal services expenditure per veteran involved (with each veteran referred to by pseudonym - so first veteran is Veteran A, next is Veteran B, and so on). In order to reduce burden, where external legal expenditure involving an individual veteran is below \$10K cumulative for each financial year, they may be reported as a group (as the interest is in excessive external legal expenditure). An example of the layout I seek is below:

	FY17/18	FY16/17	FY15/16
	\$	\$	\$
Other			
Veteran A			
Veteran B			
etc			
Veterans >\$10K			

**Requested action**

As it is the responsibility of line areas to conduct searches for potentially relevant documents, we would be grateful if you could undertake searches for documents and provide them to Information Law by COB Friday, 30 July 2018.

Please use the attached template to advise what searches were undertaken and to list all documents that fall within the scope of the request.

Please note that line areas are required to provide relevant documents to Information Law even if the line area is of the view that the documents should not be released. When responding, please advise of any concerns or sensitives you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know so it can be forwarded on for action.

More information about the applicant and the request is contained within the attached template. We appreciate your assistance with this request. If you have any questions please do not hesitate to contact me to discuss.

Kind Regards,

Amy <sup>s 47E(d)</sup>

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

<sup>s 47E(d)</sup>

| GPO Box 9998 Canberra ACT 2601

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

<sup>s 47F</sup>





## Verity Pane (Right to know)

### Verity Pane (Right to know)

s 22

#### Scope/Notes

Dear Department of Veterans' Affairs,

In light of recent media reporting and admissions by the Minister in Federal Parliament that the Department spent more than \$0.6m in external legal services fees in regards to just one veteran - Martin Rollins - in relation to DVA's deliberate backdating of a rewrite of a DVA policy to exclude Mr Rollins' receiving a benefit he was entitled to at the time of his applying for it (<http://www.abc.net.au/7.30/dva-secretly-changed-rules-to-deny-veterans-claim/9883774> ) there is a public interest in understanding how the Department is expending public funds on external legal services.

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year, they may be reported as a group (as the interest is in excessive external legal expenditure). An example of the layout I seek is below:

	FY17/18	FY16/17	FY15/16
	\$	\$	\$

Other

Veteran A

Veteran B

etc

Veterans > \$10K

Yours faithfully,

Verity Pane









s 22

7 Sep 2018      1. File note      Leia <sup>s 47E(d)</sup>  
 EOT decision from OAIC is for EOT to 1/10/18

31 Aug 2018      1. File note      Lei <sup>s 47E(d)</sup>  
 Call from Megan at OAIC. She wanted      neck the FOI number as the 24AB has 2 different  
 numbers (23386 on 1st page and 23544 on 2nd page). I advised that the ref on 1st page is an error and the  
 second one is correct.

Megan will consult with VP re EOT. I said if VP not agreeable to full 30 days we could negotiate a shorter  
 EOT. Megan said she will let us know next week.

30 Aug 2018      1. File note      Leia <sup>s 47E(d)</sup>  
 Sought EOT under 15AB from OAIC. Have asked to 1 October 2018. Spoke with Paul to advise I have  
 sought EOT, but that we would like to try and finalise this prior to due date.

29 Aug 2018      1. File note      Leia <sup>s 47E(d)</sup>  
 Paul email to DALAS team re data sought - DALAS advised Paul to provide info sought

27 Aug 2018      1. File note      Leia <sup>s 47E(d)</sup>

DALAS not willing to create doc - gave info re clients ELS expenditure and Q - didn't include AAT data - Paul to provide

27 Aug 2018 1. File note Leia <sup>s 47E(d)</sup>  
email to DALAS re revised scope and to

24 Aug 2018 1. File note Leia <sup>s 47E(d)</sup>  
Email to applicant re EOT and revision

24 Aug 2018 3. Tme Amy <sup>S 47E(d)</sup> 16  
extension  
Time extended. Reason: s15AA

Applicant agreement to 5pm 31 August 2018

24 Aug 2018 1. File note Amy <sup>s 47E(d)</sup>  
Dear Unnamed Officer,

As you waited until the second last day to issue a practical refusal notice, when practice is that practical refusal notification should be made within 14 days (and it appears the reason for the late issue was to intentionally delay progress of this FOI, unethically), I will only grant you an additional 14 days (plus an extra day or two to show I'm kinder than you) from the original statutory expiry date.

The new statutory deadline is therefore 5pm on Friday 31 August 2018.

Yours sincerely,

Verity Pane

Response on R2K website:

Verity Pane left an annotation (August 24, 2018)

I predict that not only will this agency reject the offer of extension but will apply to the OAIC under s 15AB to extend this statutory deadline further, despite just stating that only one financial year was \*not\* complex or voluminous (which are the grounds for extension being approved).

As highlighted by respected FOI commentator Peter Timmis, s 15AB requests get ticked and flicked by the OAIC despite no evidence frequently being provided by the agencies that request them (in fact it is a very rare event indeed if the OAIC rejects such an application) <http://foi-privacy.blogspot.com/2013/02/...>

That's the problem of a so called regulator who is too much in bed with those they are supposed to monitor.

15 Aug 2018 1. File note Leia <sup>s 47E(d)</sup>  
Email from applicant re 24AB: refine the FY15/16

14 Aug 2018 1. File note Leia <sup>S 47E(d)</sup>  
24AB sent to applicant

14 Aug 2018 1. File note Leia <sup>s 47E(d)</sup>  
2 x excel spreadsheets from DALAS. Cannot provide date for 17/18 as not yet completed/extracted (what is FOI for? any type of veteran issue or specific ones?)

32 TABS to explore for 15/16 & 16/17 excel sheets - V1 tabs are departmental spend and not to be included.

V2 tabs include payments covering a range of matters - cannot tell what matters relate to specific veterans etc (Angela walked me through process to see what each line item may be. Have to search in 'DOLARS Purchasing Portal'). Tried a few searches and they do not make it obvious that the payment relates to specific veteran etc. Added complexity in that DVA now has bulk invoice process, so less clear as to what is for each matter.

Vast amount of information - took couple hours to walk through the excel sheet and figure out how to do one search - more searches likely required into individual accounts

sample for 24AB

look through 1/4 of a FY = 3 months out of 24 months = 12.5% sample = 110 line items (search DOLARS & mark off in excel what appears relevant, not relevant & unclear) - then copy into a new sheet - then order by name - calculate total for each client - search if same person or not - combine vet's that are less than \$10k - search for more info for remaining items

TAB - July 15 - 30 line items

TAB - Aug 15 - 40 line items

TAB - Sept 15 - 40 line items

#### RESULTS:

Approx. 1.5hrs to search all line items in DOLARS program(110 lines items)

Not very clear that each line item is relevant - descriptions are professional fees etc) Relevant maybe 58 items, 24 not & 28 unclear

Approx. 2 hrs to undertake further searches within various systems to ascertain what payments were for the unclear lines & to confirm the 'no' item lines were in fact 'not relevant

Approx. 15min to sort info into a new spreadsheet and determine by name and dollar per client

3hr 45min to do sample (3 months out of the 24 months available) = est of 30hrs for examination of 24 month period (3hrs 45min x 8 quarters of info)

Incl. the 8 hours undertaken already for initial searches and put into original excel sheets & 2 hrs for preparing doc & decision = TOTAL est HOURS involved: 40hrs

TOTAL: There are 333 line items for 15/16 FY & 1,116 line items for 16/17FY = 1,449 line items

Correct time would then be at avg, 3hr 45min per 13 lots of 110 line items lines = approx. 48hrs (1449/110 = 13.17 lots of 100 line items)

Add the 8 hrs undertaken already & 2hr for decision = TOTAL 58hrs

Need to consider if legal costs are subject to s 42/47G or not?

Also need to double check all data has been retrieved - conserve est of another 3 hrs.

14 Aug 2018      1. File note      Leia s 47E(d)

Spoke with business area to get an understanding of how to read the data as it is not clear what items are in relation to. Explained that I need to look through each line item to determine what the payment was for (noting it may not be obvious from the descriptions provided). Although data for 15/16 & 16/17 have been extracted into excel, there is no similar document yet for 17/18 data.

It took approx 1hr to go through the sheet (bit more). Will need to sample material I do have to see how much time is involved. Thinking at this stage can provide high level data, but may need to consider 24AB if too big.

10 Aug 2018      1. File note      Leia s 47E(d)

Info from DALAS:

I have supplied External Legal Spend below for the Financial Years 15/16 and 16/17. We are still in DRAFT form for 17/18 as we have not finalised final spends.

9 Aug 2018      1. File note      Leia s 47E(d)

Follow up to DALAS

27 Jul 2018      1. File note      Leia s 47E(d)

Forwarded search request to DALAS as have been advised they are best suited to assist re legal expenditure

23 Jul 2018      1.2 File      Amy s 47E(d)  
note/email

Email sent to Jen & Div Coord requesting searches of documents.

s 22

s 47E(d)

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47E(d)

s 47E(d)

s 22

s 47E(d)  
**Julie**

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**From:** s 47E(d) Paul  
**Sent:** Wednesday, 29 August 2018 11:30 AM  
**To:** s 47E(d) Monika; Information.Law  
**Cc:** DALAS; s 47E(d) Kristy  
**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]  
**Attachments:** FOI Copy of 2015-16 PLA Invoices.xlsx

Monika

The external legal expenditure recording/payment processes that exist today did not exist for AAT expenditure in 2015-16. Noting the short turnaround time, it might be quickest to contact the Finance team to request their assistance in running a report of the requested information – we used AGS, Sparke Helmore and DLA Piper (later Moray & Agnew) during the relevant period. However, this is unlikely to provide the level of detail requested eg per case costs.

I understand that historical invoices for DRCA & MRCA AAT matters are stored in boxes and located mostly off-site (Portside Vic), as search of which would involve considerable effort and time.

Aside from the above, I would be concerned to ensure commercial confidentiality is observed in consideration of any request for such information.

Regards  
 Paul

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**From:** s 47E(d) Monika  
**Sent:** Wednesday, 29 August 2018 11:00 AM  
**To:** Information.Law; s 47E(d) Paul  
**Cc:** DALAS  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Leia  
 Please find attached a copy of External Legal Services expenditure for CLIENTS only. We have removed all Departmental spends and non-client payments. We have also included, per month, total amount per client expenditure. This has been cleared by Kristy Egan a/g General Counsel.

Please note that AAT litigation came into Legal Services and Assurance Branch part way through 2015/16 and thus isn't captured in the spreadsheet. I understand that at that point in time the AAT litigation expenditure was paid via Defcare.

Paul  
 can you please provide Leia with the requested external legal expenditure for 2015-16. I think there will be a need to extract the relevant information against the relevant SRCA and MRCA cost centres in DOLARS. I apologise for the short notice, but the data is due with Leia by COB today.

Thanks

Monika

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**From:** s 47E(d) Leia **On Behalf Of** Information.Law  
**Sent:** Wednesday, 29 August 2018 7:54 AM



**To:** DALAS <s 47E(d)>

**Cc:** Information.Law <s 47E(d)> ; s 47E(d) George <s 47E(d)>

**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi Monika,

Thank you for your email. As per section 17 of the FOI Act, we are required to produce the document requested. If DALAS is unwilling to do so, we kindly ask that DALAS provides the relevant information to enable us to create the document.

As we are not the experts in legal expenditure it would be unclear to us what information in the excel spreadsheet falls within the scope of his request. As such, we would be grateful if you could truncate the excel sheet to only include line items that are relevant to the request. Happy for you to also remove the V1 tabs noting Angela's comments below. We only need to capture external legal expenditure relating to DVA clients, not all legal expenditure. We are willing to gather all the information and then create the document ourselves, but will need DALAS's help to provide the relevant information. For your information, as all personal information is excluded from the scope and only total legal expenditure amounts are to be provided, it is unlikely any exemptions under the FOI Act will be applied.

Thank you for your help, we appreciate it.

Happy to discuss.

Kind Regards,

**Leia**

Assistant Director

Information Law | Legal Services & Assurance | s 47E(d)

ext s 47E(d) desks 47E(d)

**From:** s 47E(d) Monika **On Behalf Of** DALAS

**Sent:** Monday, 27 August 2018 1:32 PM

**To:** Information.Law <s 47E(d)>

**Cc:** DALAS <s 47E(d)>

**Subject:** RE: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Amy

We are not going to create a new document (as was requested by the FOI applicant). Do you want us to highlight in the attached document anything that is not external legal expenditure and needs to be redacted?

Regards

Monika

**From:** s 47E(d) Amy **On Behalf Of** Information.Law

**Sent:** Monday, 27 August 2018 12:55 PM

**To:** DALAS s 47E(d)

**Cc:** Information.Law <s 47E(d)>

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Hi DALAS,

Verity Pane has agreed to revised the scope of their FOI request to the 2015/16 financial year, we would be grateful if you could please provide the information as request in the highlighted section below by COB Wednesday 29 August 2018 as the decision is due to the applicant by 5pm 31 August 2018.

Please note, there is no need to sort the less than or greater than \$10K, we can do that on our end.

Thank you

Amy <sup>s 47E(d)</sup>

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

GPO Box 9998 Canberra ACT 2601

<sup>s 47E(d)</sup>

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

<sup>s 47F</sup>



**From:** <sup>s 47E(d)</sup> Leia

**Sent:** Tuesday, 14 August 2018 8:31 AM

**To:** Information.Law <sup>s 47E(d)</sup>

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

**From:** <sup>s 47E(d)</sup> Angela

**Sent:** Friday, 10 August 2018 4:13 PM

**To:** FOI <sup>s 47E(d)</sup>

**Cc:** <sup>s 47E(d)</sup> Leia <<sup>s 47E(d)</sup>> <sup>s 47E(d)</sup> Amy <<sup>s 47E(d)</sup>> >; <sup>s 47E(d)</sup> Monika <<sup>s 47E(d)</sup>>

**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

FOI

I have supplied External Legal Spend below for the Financial Years 15/16 and 16/17. We are still in DRAFT form for 17/18 as we have not finalised final spends.

Furthermore, I have attached \*reporting documents in relation to the breakdown of individual payments\_(Names visible, Redaction required)

(\*PLEASE NOTE THAT THIS INCLUDES V1- Departmental Spend, and should not be included)

\*cost do not include Disbursements or Counsel fees

2015-2016	2016-2017	2017-2018
\$6.13 million	\$6.10 million	TBA

Angela <sup>s 47E(d)</sup>  
 Practice Coordinator  
 DALAS  
 Legal Services & Assurance Branch  
 Department of Veterans' Affairs | [www.dva.gov.au](http://www.dva.gov.au)  
 Telephone: (<sup>s 47E(d)</sup>) | Email: <sup>s 47E(d)</sup>

<sup>s 47E(d)</sup>

GPO Box 9998, Canberra ACT 2601




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**From:** <sup>s 47E(d)</sup> eia **On Behalf Of** Information.Law  
**Sent:** Friday, 27 July 2018 10:28 AM  
**To:** DALAS <<sup>s 47E(d)</sup>>  
**Subject:** FW: Request for document searches (external legal services expenditure for 15/16, 16/17 & 17/18 FY) - FOI 23544 - [DLM=For-Official-Use-Only]

Good morning,

Please see the below email about a recent FOI request we have received seeking a document be created under section 17 of the FOI Act to capture **DVA data regarding external legal services expenditure for the 2015/16, 2016/17 and 2017/18 Financial Years**. Further specifics of the data sought, and an example format as suggested by the applicant, can be found in the below email. I think this request may be better suited for your area to assist.

As the applicant has not agreed to an extension of time to process the request, we are required to issue a decision and the information by 15 August 2018. As such, we would be grateful if you could prepare a document with the information requested by **Friday, 10 August 2018**.

When responding, please advise of any concerns or sensitives you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know as soon as possible, so it can be forwarded on for action.

Thank you for your assistance. Please do not hesitate to contact me if you have any questions about this request.

Kind Regards,

Leia <sup>s 47E(d)</sup>  
 Assistant Director  
 Information Law | Legal Services & Assurance | <sup>s 47E(d)</sup>  
 ext <sup>s 47E(d)</sup> | desk <sup>s 47E(d)</sup>

---

**From:** <sup>s 47E(d)</sup> Amy **On Behalf Of** Information.Law  
**Sent:** Monday, 23 July 2018 2:00 PM  
**To:** <sup>s 47E(d)</sup> Jennifer <sup>s 47E(d)</sup>  
**Cc:** TOP.COORD <sup>s 47E(d)</sup> ; Information.Law <<sup>s 47E(d)</sup>>  
**Subject:** Request for document searches - Due COB 30 July 2018 - FOI 23544 [DLM=For-Official-Use-Only]

Good afternoon,

**Re: FOI 23544 Verity Pane (Right to Know)**

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For your information, the applicant has sought access to:

In light of recent media reporting and admissions by the Minister in Federal Parliament that the Department spent more than \$0.6m in external legal services fees in regards to just one veteran - Martin Rollins - in relation to DVA's deliberate backdating of a rewrite of a DVA policy to exclude Mr Rollins' receiving a benefit he was entitled to at the time of his applying for it (<http://www.abc.net.au/7.30/dva-secretly-changed-rules-to-deny-veterans-claim/9883774>) there is a public interest in understanding how the Department is expending public funds on external legal services.

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Certainly the recent admission (initially refuted) that the Department has spend in excess of half a million dollars, litigiously, to defend this backdated change of policy to deny Martin Rollins a benefit that existed at the time he applied for it (and ironically this legal expenditure many hundreds of thousands of dollars greater than the benefit he was otherwise entitled to receive), raises public interest questions whether such excessive external legal expenditure is endemic or is a one off isolated case.

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Veteran A			
Veteran B			
etc			
Veterans >\$10K			

#### Requested action

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Please use the attached template to advise what searches were undertaken and to list all documents that fall within the scope of the request.

Please note that line areas are required to provide relevant documents to Information Law even if the line area is of the view that the documents should not be released. When responding, please advise of any concerns or sensitives you have about releasing the information to Verity Pane via Right to Know.

If you believe the searches would best sit within a different line area please let us know so it can be forwarded on for action.

More information about the applicant and the request is contained within the attached template. We appreciate your assistance with this request. If you have any questions please do not hesitate to contact me to discuss.

Kind Regards,

Amy <sup>s 47E(d)</sup>

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

<sup>s 47E(d)</sup>

GPO Box 9998 Canberra ACT 2601

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

<sup>s 47F</sup>



s 47E(d)

**Julie**

**From:** Verity Pane <foi+request@\*\*\*>  
**Sent:** Wednesday, 15 August 2018 8:23 PM  
**To:** Information.Law  
**Subject:** Re: FOI 23544 - Notice of intention to refuse request - Consultation due to practical refusal reason - Response sought by 29 August 2018 [SEC=UNCLASSIFIED]

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Unnamed Officer (Position Number 62210022),

While a rough estimation has been provided, it appears the Department is satisfied based on its enquiries that this FOI would take 60 leisurely hours for collection, assessment and decision issuance.

The primary basis of your agency's practical refusal intention is that the amount of external legal services expenditure against veterans is very large, and covers a large number of matters. That does answer a question in, and of, itself that the Department is a frequent user of external legal services providers in litigation and opinion seeking against veterans.

But in light of this, if there is a willingness to pay for this, as per usual cost recovery processes in FOI, does the Department still intend to refuse access? Just because as FOI may exceed the free processing period is generally insufficient to refuse access, and mechanisms exist for requester contribution to be made in these circumstances.

You state to process the FOI application would deny others the opportunity to have their own FOI applications, but provide no supporting evidence to substantiate that. How many open and overdue FOIs does DVA have presently? Is there any reason a consent to extend the processing deadline cannot offset any intensity of resource allocation, as I would be prepared to consider that.

You also state the application covers 'several' financial years, despite only three being sought, and is too 'broad', yet paying for external legal services providers is not a common administrative practice and requires SES level approval. While making reference to this, you fail to provide enough information to allow for any stratification to adequately allow for any informed revision of scope to occur.

I would however be willing to refine the scope to FY15/16 in the first instance, which could have helpfully been identified in your estimates but wasn't (instead you looked for factors to reject, rather than offer alternatives).

I guess the only thing we both agree in full on is that it is evident that DVA is a regular high frequency user of external legal services providers, over and above the more limited use by other agencies.

I still think that ways ahead exist, despite your claims to the contrary.

Yours sincerely,

Verity Pane

-----Original Message-----

Good evening Verity Pane,

FOI 23544 – section 24AB Notice of intention to refuse – Request consultation due to practical refusal reason

I refer to your request for access to information under the Freedom of Information Act 1982 (FOI Act); received on 16 July 2018.

Please find attached a notification under section 24AB of the FOI Act, advising you of the Department's intention to refuse your request on the grounds that a practical refusal reason exists. A decision on this request will be made pending the outcome of this requested consultation process.

Please review and consider the attached notice and advise how you wish to proceed by 29 August 2018.

If you require any further assistance or time to respond to this notice please do not hesitate to contact us.

Kind Regards,

Information Law Team

Department of Veterans' Affairs

E: [1][email address] | W: [2]www.dva.gov.au

[3]cid:image001.png@01D0027A.1DAB84F0

-----  
Please use this email address for all replies to this request:

foi+request-4697-9426436x@xxxxxxxxxxx.xxx.xx

This request has been made by an individual using Right to Know. This message and any reply that you make will be published on the internet. More information on how Right to Know works can be found at:

<https://www.righttoknow.org.au/help/officers>

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

-----



<sup>s</sup>  
47E(d) Julie

**From:** <sup>s</sup> Amy on behalf of Information.Law  
**Sent:** <sup>47E(d)</sup> Thursday, 9 August 2018 2:50 PM  
**To:** <sup>s 47E(d)</sup>  
**Cc:** Information.Law  
**Subject:** Search request for documents related to FOI 23863 (Verity Pane via Right to know)  
 - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]  
**Attachments:** Document Schedule where more than 10 documents are identified.docx

Good afternoon,

**Re: Search request for documents related to FOI 23863 (Verity Pane via Right to know)**

On 08 August 2018, the Department received a request for documents under the *Freedom of Information Act 1982* (FOI Act) from Verity Pane via Right to know. A decision on this request is due by the Department not later than COB 7 September 2018. Details of the FOI request are below.

**Requested action**

As it is the responsibility of line areas to conduct searches for potentially relevant documents, we would be grateful if you could undertake searches for relevant documents and provide them to Information Law at [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au) by COB Wednesday 22 August 2018.

Please note that line areas are required to provide relevant documents to Information Law even if the line area is of the view that the documents should not be released. When responding, please advise of any concerns or sensitives you have about releasing the information in the table below.

If you believe the searches would best sit within a different line area please let us know as soon as possible so this request can be forwarded on for action.

**Details of the FOI request & request input by line area**

We would appreciate you completing the yellow highlighted portions of the below table and return it when responding to this request.

FOI applicant and details of the FOI request	
<b>Applicant name:</b>	Verity Pane via Right to know
<b>UIN:</b>	N/A
Verity Pane has sought access to:	
Under s 17 of the FOI Act, I apply for a one page summary document to be compiled from information held in your agency's information systems, that sets out the number of DVA clients, by age group, that were referred to SPOC management by the Coordinated Care unit and Client Liaison Unit (to be listed separately).	
As per the relevant ANAO report, the Client Liaison Unit (CLU) was established by DVA in September 2007, and the Coordinated Care (CC) unit in January 2010, following criticisms made by various preceding reviews.	
DVA implemented the Case Coordination program to case manage clients identified (Level 3 or Level 2) as being at increased risk of self-harm or harm to others, who have multiple complex needs (although recent veterans who were at risk, such as Jesse Bird, were not managed by this	



unit). The Client Liaison Unit was established to case manage clients identified (Level 1) as vulnerable or having complex behaviours.

DVA breaks veterans into age groups referred to as 'young veterans' (64 and under) and 'veterans' (65 and over), based on historical retirement age. For the purpose of this FOI, we will stick to this age split.

#### Format of compiled document:

Unit.....FY15/16.....FY16/17.....FY17/18

CLU - >65

CLU - 65+

CC - >65

CC- 65+

The purpose of this FOI is to determine what DVA itself has determined are the numbers of vulnerable veterans, by age group, it has, by reference to the number of referrals it makes (which, as the Jesse Bird case reflects, will be a lower number than the actual number of vulnerable veterans DVA is communicating with, but gives some indicative evidence).

Action/information required	Details/response
<b>Time spent on this request</b>  DVA is required to report annually on the time spent by all DVA staff responding to FOI matters. To assist capturing this information please advise how much time was spent by staff to respond to this search request.	<i>(e.g. APS6 spent 2 hours to search and provide documents to Information Law)</i>
<b>Searches undertaken</b>  Please indicate which systems were searched to identify relevant documents and the results of those searches. *Systems include Y-drive, outlook, TRIM, PDMS, VIEW, hard copies and any other systems your line area has access.	<i>(e.g. Search of TRIM identified relevant documents (details below). Further searches were undertaken in outlook and no documents could be found)</i>
<b>Documents identified</b>  Please advise total number of documents identified that fall within scope of the request detailed above. Where documents total more than 10, please use the attached table to insert details of those documents. If this applies, in the column to the right, please indicate the source of the documents only (e.g. TRIM file 123ABC etc).  *Please remember to attach all relevant documents when responding to this request.	<i>(e.g.</i> <ul style="list-style-type: none"> <li><i>TRIM file 123ABC – 10 documents – emails</i></li> <li><i>Y-drive – Folder 456DEF – 5 documents – draft and finalised letters)</i> </li></ul>
<b>Sensitivities or concerns about releasing the documents</b>	<i>(e.g The paper dated 1/1/2020 contains legal advice. It was drafted for the sole purpose of responding to a claim in the AAT) OR (e.g. The information in document X is not usually released to</i>

Please advise Information Law of any concerns you have about releasing the document(s) under the FOI Act. Where concerns are raised, we would appreciate some context to support your concerns.

Line areas are the subject matter experts in their respective areas. The Information Law team may need to rely on line areas to assist forming justifications to refuse access to documents. This may include seeking more information about the context in which documents were received, created or provided to other individuals or organisations. Based on the information you provide, the Information Law team will be better placed to determine whether justifications exist under the FOI Act to refuse access to the document(s).

If you have any concerns please call or email the Information Law team to discuss the request and/or documents further.

*the public because XYZ..... If this information were released it could cause harm because/reveal information that is ...etc)*

We appreciate your assistance with this request. If you have any questions please do not hesitate to contact us to discuss.

Kind Regards,

Amy <sup>s 47E(d)</sup>

Information Access Assistant

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

<sup>s 47E(d)</sup>

E: [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au)

GPO Box 9998 Canberra ACT 2601

<sup>s 47F</sup>



Australian Government

Department of Veterans' Affairs

S  
47E(d) Julie

**From:** S Rick  
**Sent:** 17E(d) Wednesday, 5 September 2018 12:30 PM  
**To:** s 47E(d) Leia  
**Cc:** s 47E(d) Terene  
**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

**Importance:** High

Hi Leia,

- how many records did you look at  
20
- on what basis did you find there would be over 3000 clients  
Over the last 17 months the CCS program has received a total of 1733 referrals, averaging just over 100 per month. This means that for the scope of the request the projection is actually 3669 clients or 1223 referrals per financial year.
- how did you estimate the task would take 3 weeks to complete? (is it based on how long it took to do the sample etc). I will need to break down hours in my notice. For example, the notice will need to explain:
  - what type of sampling we undertook and the % of records that relates to (e.g. if a request appears voluminous and there are 100 documents, we might look at a 10% sample = 10 documents to form our assessment).  
I undertook a sample of 20 clients which is 20% of once months average allocations.  
20 clients from the total 1223 referral per financial year, results in a percentage sample size of 1.63% of the scope.  
20 clients from the total 3669, results in a percentage sample size of .54% of the scope.
  - the total estimated records that need to be assessed  
3669 records in aDVance, with multiple screen access to ascertain the details of scope like age, outcome, period of referral etc.
  - total number of clients (how did you come to the number of 3000 etc)  
Average of 101.5 referrals per month, results in 1223 referral per financial year, and across 3 financial years totals 3669 referrals. The basis of the average is 1732 referrals received over a 17 month period broken down to an average of 101.5 referrals per month.
  - how long it would take to search our records to find the data/information in the format request by the applicant  
3 minutes was the average time to access/review 1 record.
  - how long it would take to arrange the data/information in the format request by the applicant  
Approximately another 1 minute to transpose the data into a central record that would form the basis of the response.
  - whether any exemptions would apply and how much I need to make a decision on those exemptions (something I can assess)
  - how long it would take to create a schedule of documents (not too difficult when creating a document)

In summary, the total scope of request where it takes a total of 4 minutes per client record, is a total of 81 hours for each financial year, and total of 243 hours for the entire scope of request.

If you require any additional information, please don't hesitate to let me know.

Kind Regards

---

**From:** <sup>S</sup> Leia **On Behalf Of** INFORMATION.LAW

**Sent:** Tuesday, 4 September 2018 1:08 PM

**To:** <sup>S</sup> Rick

**Subject:** RE: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

**Importance:** High

Hi Rick,

Thank you for the below. Is there any more information you can provide, such as the sample you undertook and the calculations used to get those numbers? I appreciate the numbers are high but it isn't enough information for me to issue the diversion notice we spoke about this morning. Any information you can give me about the sample you undertook, including the steps you took to find relevant information and the time it took you to do so would be useful. As discussed this morning, I will need to demonstrate in my notice how big the sample was and link it to the total estimated documents and time to retrieve assess and release etc For example:

- how many records did you look at
- on what basis did you find there would be over 3000 clients
- how did you estimate the task would take 3 weeks to complete? (is it based on how long it took to do the sample etc). I will need to break down hours in my notice. For example, the notice will need to explain:
  - what type of sampling we undertook and the % of records that relates to (e.g. if a request appears voluminous and there are 100 documents, we might look at a 10% sample = 10 documents to form our assessment).
  - the total estimated records that need to be assessed
  - total number of clients (how did you come to the number of 3000 etc)
  - how long it would take to search our records to find the data/information in the format request by the applicant
  - how long it would take to arrange the data/information in the format request by the applicant
  - whether any exemptions would apply and how much I need to make a decision on those exemptions (something I can assess)
  - how long it would take to create a schedule of documents (not too difficult when creating a document)

If you are able to provide more information that would assist me a great deal. Happy to discuss further.

Kind Regards,

**Leia** <sup>S</sup> 47E(d)

Assistant Director

Information Law | Legal Services & Assurance | <sup>S</sup> 47E(d)

**ext** <sup>S</sup> | **desk** <sup>S</sup> 47E(d)

---

**From:** <sup>S</sup> Rick

**Sent:** Tuesday, 4 September 2018 10:54 AM

**To:** <sup>S</sup> Leia <<sup>S</sup> 47E(d)>

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

FYI

---

**From:** s 47E(d) Katie

**Sent:** Friday, 10 August 2018 6:27 PM

**To:** s 47E(d)

**Cc:** s 47E(d) Rick s 47E(d)

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Good afternoon DALAS,

Per my earlier discussion with the team, please be advised that the request for FOI 23863 is unable to be provided by 22 August.

Below, is an indication of the size and scope of the request. As well as the timeframe for completion by the portfolio Assistant Director, Rick s 47E(d)

The Coordinated Client Support program provides a single point of contact service to vulnerable and at risk clients of DVA, assisting their navigation of DVA business and ensuring support linkages where required. Whilst Rick has scoped this request as 3 weeks to collate noting the size of the documents, I would add that the team currently do not have a fulltime FTE to release to such a request without it negatively impacting the service to our client cohort.

I am aware that where we have received these types of requests historically, DVA has responded with either an extension of time and/or provided the size and scope details of the request to apportion costing to the applicant. It appears this request may be similar in nature, so please do let us know if you require further information about the impact to BAU in progressing with this matter.

Regards,

**Katie** s 47E(d)

National Director (a/g)

Coordinated Client Support Program

Department of Veterans' Affairs

GPO Box 9998 Melbourne

T s 47E(d) xxt s 47E(d) | M s 47E(d)

---

**From:** s 47E(d) Rick

**Sent:** Friday, 10 August 2018 12:37 PM

**To:** s 47E(d) Katie s 47E(d) >

**Subject:** RE: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Hi Katie,

I will be unable to comply with the time frame in the below request.

At first glance, the scope involves over 3000 clients, and based on a quick sample, it would take in excess of 3 weeks full FTE to collate all of the requested data as it is all manual, due to scope.

Can you please advise.

Kind Regards,

Rick s 47E(d)

Assistant Director NSW/WA (a/g)  
Coordinated Client Support  
Department of Veterans' Affairs  
t s 47E(d) ext s 47E(d)




---

**From:** s 47E(d)

**Sent:** Thursday, 9 August 2018 3:24 PM

**To:** s 47E(d) Jan <s 47E(d)> s 47E(d) ick <s 47E(d)> >; s 47E(d) Carol

<s 47E(d)>

**Cc:** s 47E(d), Katie <s 47E(d)>

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Hello to the CCS Leadership Group,

I just thought I would bring this email to your collective attention, just in case you were unaware of this FOI request, as it appears that the Legal Branch are asking for a lot of historical data in order to address this request.

Thus, I leave the matter for your consideration.

Thanks,

**Conor** s 47E(d)

Client Support Co-ordinator  
Co-ordinated Client Support Team  
Department of Veterans' Affairs  
s 47E(d)

Ext: s 47E(d)

Ph: s 47E(d)

Fax: s 47E(d)

---

**From** s 47E(d) Amy On Behalf Of Information.Law

**Sent:** Thursday, 9 August 2018 2:50 PM

**To:** s 47E(d)

s 47E(d)

**Cc:** s 47E(d)

**Subject:** Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Good afternoon,

**Re: Search request for documents related to FOI 23863 (Verity Pane via Right to know)**

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**Requested action**

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If you believe the searches would best sit within a different line area please let us know as soon as possible so this request can be forwarded on for action.

**Details of the FOI request & request input by line area**

We would appreciate you completing the yellow highlighted portions of the below table and return it when responding to this request.

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UIN:	N/A
<p>Verity Pane has sought access to:</p> <p>Under s 17 of the FOI Act, I apply for a one page summary document to be compiled from information held in your agency's information systems, that sets out the number of DVA clients, by age group, that were referred to SPOC management by the Coordinated Care unit and Client Liaison Unit (to be listed separately).</p> <p>As per the relevant ANAO report, the Client Liaison Unit (CLU) was established by DVA in September 2007, and the Coordinated Care (CC) unit in January 2010, following criticisms made by various preceding reviews.</p> <p>DVA implemented the Case Coordination program to case manage clients identified (Level 3 or Level 2) as being at increased risk of self-harm or harm to others, who have multiple complex needs (although recent veterans who were at risk, such as Jesse Bird, were not managed by this unit). The Client Liaison Unit was established to case manage clients identified (Level 1) as vulnerable or having complex behaviours.</p> <p>DVA breaks veterans into age groups referred to as 'young veterans' (64 and under) and 'veterans' (65 and over), based on historical retirement age. For the purpose of this FOI, we will stick to this age split.</p> <p><b>Format of compiled document:</b></p> <p>Unit.....FY15/16.....FY16/17.....FY17/18</p> <p>CLU - &gt;65</p> <p>CLU - 65+</p> <p>CC - &gt;65</p> <p>CC- 65+</p> <p>The purpose of this FOI is to determine what DVA itself has determined are the numbers of vulnerable veterans, by age group, it has, by reference to the number of referrals it makes (which, as the Jesse Bird case reflects, will be a lower number than the actual number of vulnerable veterans DVA is communicating with, but gives some indicative evidence).</p>	



Action/information required	Details/response
<p><b>Time spent on this request</b></p> <p>DVA is required to report annually on the time spent by all DVA staff responding to FOI matters. To assist capturing this information please advise how much time was spent by staff to respond to this search request.</p>	<p><i>(e.g. APS6 spent 2 hours to search and provide documents to Information Law)</i></p>
<p><b>Searches undertaken</b></p> <p>Please indicate which systems were searched to identify relevant documents and the results of those searches.</p> <p>*Systems include Y-drive, outlook, TRIM, PDMS, VIEW, hard copies and any other systems your line area has access.</p>	<p><i>(e.g. Search of TRIM identified relevant documents (details below). Further searches were undertaken in outlook and no documents could be found)</i></p>
<p><b>Documents identified</b></p> <p>Please advise total number of documents identified that fall within scope of the request detailed above.</p> <p><i>Where documents total more than 10, please use the attached table to insert details of those documents. If this applies, in the column to the right, please indicate the source of the documents only (e.g. TRIM file 123ABC etc).</i></p> <p>*Please remember to attach all relevant documents when responding to this request.</p>	<p><i>(e.g.</i></p> <ul style="list-style-type: none"> <li><i>• TRIM file 123ABC – 10 documents – emails</i></li> <li><i>• Y-drive – Folder 456DEF – 5 documents – draft and finalised letters)</i></li> </ul>
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We appreciate your assistance with this request. If you have any questions please do not hesitate to contact us to discuss.

Kind Regards,

Amy **s 47E(d)**

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

**s 47E(d)**

GPO Box 9998 Canberra ACT 2601

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

**s 47F**



s 47E(d) Julie

---

**From:** s 47E(d) Rick  
**Sent:** Tuesday, 4 September 2018 10:54 AM  
**To:** s 47E(d) Leia  
**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

FYI

---

**From:** s 47E(d) Katie  
**Sent:** Friday, 10 August 2018 6:27 PM  
**To:** DALAS  
**Cc:** s 47E(d) Rick  
**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

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Regards,

**Katie** s 47E(d)  
 National Director (a/g)  
 Coordinated Client Support Program  
 Department of Veterans' Affairs  
 GPO Box 9998 Melbourne  
 T s 47E(d) xxt s 47E(d) M s 47E(d)

---

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**Rick** s 47E(d)

Assistant Director NSW/WA (a/g)  
Coordinated Client Support  
Department of Veterans' Affairs  
t s 47E(d) ext s 47E(d)




---

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s 47E(d) >

**Cc:** s 47E(d) Katie <s 47E(d)>

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

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**Conor** s 47E(d)

Client Support Co-ordinator  
Co-ordinated Client Support Team  
Veterans' Affairs  
s 47E(d)

Ext: s 47E(d)  
Ph s 47E(d)  
Fax: s 47E(d)

---

**From:** s 47E(d) Amy On Behalf Of Information.Law

**Sent:** Thursday, 9 August 2018 2:50 PM

**To:** s 47E(d)

s 47E(d)

**Cc:** s 47E(d)

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Under s 17 of the FOI Act, I apply for a one page summary document to be compiled from information held in your agency's information systems, that sets out the number of DVA clients, by age group, that were referred to SPOC management by the Coordinated Care unit and Client Liaison Unit (to be listed separately).	
As per the relevant ANAO report, the Client Liaison Unit (CLU) was established by DVA in September 2007, and the Coordinated Care (CC) unit in January 2010, following criticisms made by various preceding reviews.	
DVA implemented the Case Coordination program to case manage clients identified (Level 3 or Level 2) as being at increased risk of self-harm or harm to others, who have multiple complex needs (although recent veterans who were at risk, such as Jesse Bird, were not managed by this unit). The Client Liaison Unit was established to case manage clients identified (Level 1) as vulnerable or having complex behaviours.	
DVA breaks veterans into age groups referred to as 'young veterans' (64 and under) and 'veterans' (65 and over), based on historical retirement age. For the purpose of this FOI, we will stick to this age split.	
Format of compiled document:	
Unit.....FY15/16.....FY16/17.....FY17/18	
CLU - >65	
CLU - 65+	

CC - >65  
CC- 65+

The purpose of this FOI is to determine what DVA itself has determined are the numbers of vulnerable veterans, by age group, it has, by reference to the number of referrals it makes (which, as the Jesse Bird case reflects, will be a lower number than the actual number of vulnerable veterans DVA is communicating with, but gives some indicative evidence).

Action/information required	Details/response
<b>Time spent on this request</b>  DVA is required to report annually on the time spent by all DVA staff responding to FOI matters. To assist capturing this information please advise how much time was spent by staff to respond to this search request.	<i>(e.g. APS6 spent 2 hours to search and provide documents to Information Law)</i>
<b>Searches undertaken</b>  Please indicate which systems were searched to identify relevant documents and the results of those searches. *Systems include Y-drive, outlook, TRIM, PDMS, VIEW, hard copies and any other systems your line area has access.	<i>(e.g. Search of TRIM identified relevant documents (details below). Further searches were undertaken in outlook and no documents could be found)</i>
<b>Documents identified</b>  Please advise total number of documents identified that fall within scope of the request detailed above. Where documents total more than 10, please use the attached table to insert details of those documents. If this applies, in the column to the right, please indicate the source of the documents only (e.g. TRIM file 123ABC etc).  *Please remember to attach all relevant documents when responding to this request.	<i>(e.g.</i> <ul style="list-style-type: none"> <li><i>TRIM file 123ABC – 10 documents – emails</i></li> <li><i>Y-drive – Folder 456DEF – 5 documents – draft and finalised letters)</i> </li></ul>
<b>Sensitivities or concerns about releasing the documents</b>  Please advise Information Law of any concerns you have about releasing the document(s) under the FOI Act. Where concerns are raised, we would appreciate some context to support your concerns.  Line areas are the subject matter experts in their respective areas. The Information Law team may need to rely on line areas to assist forming justifications to refuse access to documents. This may include seeking more information about the context in which documents were received, created or provided to other individuals or organisations. Based on	<i>(e.g The paper dated 1/1/2020 contains legal advice. It was drafted for the sole purpose of responding to a claim in the AAT) OR (e.g. The information in document X is not usually released to the public because XYZ..... If this information were released it could cause harm because/reveal information that is ...etc)</i>

the information you provide, the Information Law team will be better placed to determine whether justifications exist under the FOI Act to refuse access to the document(s).

If you have any concerns please call or email the Information Law team to discuss the request and/or documents further.

We appreciate your assistance with this request. If you have any questions please do not hesitate to contact us to discuss.

Kind Regards,

Amy s 47E(d)

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

s 47E(d)

GPO Box 9998 Canberra ACT 2601

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

s 47F



Australian Government

Department of Veterans' Affairs

s 47E(d)  
Julie

---

**From:** Verity Pane <foi+request-@\*\*\*>  
**Sent:** Friday, 7 September 2018 2:36 AM  
**To:** INFORMATION.LAW  
**Subject:** Re: FOI 23863 - Notice of intention to refuse - Request consultation due to practical refusal reason [DLM=For-Official-Use-Only]

Dear Position Number 62210022,

I am not sure if I should be honoured or insulted that for my FOIs only, that DVA has decided to continue this latest trend of issuing practical refusal notification just before the statutory processing period expires, in a blatant and most obvious attempt to cause intentional but otherwise avoidable delay.

As you will recall, the Act requires practical refusal notifications to be identified at the earliest practical opportunity, which has been consistently found to be before the 15th day of the statutory processing period (that is, before half of the time has expired).

And yet again DVA dreams up the most impractical and intentionally inefficient overstated calculations (without proof of the legitimacy of said calculations) despite evidence that that far more effective methods exist.

But since you intend to yet again engage in these sham fraudulent tactics, I'll make this simple.

I revise the scope to cover the time period covering only June 2018 (that being one month only).

Now, the prediction is you'll now do what you did with your other sham practical refusal, which is to take another 10 day's or so to respond, and seek another 30 day's, which to avoid doubt I refuse, which will have you making a secret s 15AB application that I'll only hear about after it is made, so you can cause even more intentional delay, because that is the level of ethics over at DVA, which is to say none, and intentionally subverting and corrupting your legislative obligations is just what your day to day methodology is.

You may only have, with consent, until 5pm on 21 September 2018 to issue a complete decision and release of documents.

Yours sincerely,

Verity Pane

-----Original Message-----

Good afternoon Verity Pane,

FOI 23863 – section 24AB Notice of intention to refuse – Request consultation due to practical refusal reason

I refer to your request for access to information under the Freedom of Information Act 1982 (FOI Act) received on 8 August 2018.

Please find attached a notification under section 24AB of the FOI Act, advising you of the Department's intention to refuse your request on the grounds that a practical refusal reason exists. A decision on this request will be made pending the outcome of this requested consultation process.

Please review and consider the attached notice and advise how you wish to proceed by 20 September 2018.

If you require any further assistance or time to respond to this notice please do not hesitate to contact us.

Kind Regards,

Information Law Team

Department of Veterans' Affairs

E: [1][email address] | W: [2]www.dva.gov.au

[3]cid:image001.png@01D0027A.1DAB84F0

-----  
Please use this email address for all replies to this request:

foi+request-4731-xxxxxxx@xxxxxxxxxxx.xxx.xx

This request has been made by an individual using Right to Know. This message and any reply that you make will be published on the internet. More information on how Right to Know works can be found at:

<https://www.righttoknow.org.au/help/officers>

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

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s 47E(d) **Julie**

---

**From:** s 47E(d), Leia  
**Sent:** Friday, 7 September 2018 1:45 PM  
**To:** s 47E(d) Rick  
**Cc:** s 47E(d), Terene  
**Subject:** \*\*\*Revised scope - now can process\*\*\* FOI 23863 (Verity Pane via Right to know) - Please provide before 17 Sept 18 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Hi Rick,

I just tried to call you to let you know that Verity Pane has revised the scope of the FOI request, which now removes the practical refusal reason.

The revised scope now only requires relevant information for one (1) month being **June 2018**. As such, we would be grateful if you could take steps to provide the information sought. We have an extension of time to finalise this request and a decision will be due by 17 September 2018. I shouldn't need too much time to draft the actual decision but it would be good to have the document (or excel sheet with the data) well before the day the decision falls due so I can format into an accessible document etc. It would also be good to get this to the applicant before the decision falls due.

Grateful if you could call me to discuss.

Thank you.

**Leia** s 47E(d)  
 Assistant Director  
 Information Law | Legal Services & Assurance | s 47E(d)  
 ext s 47E(d) | desk s 47E(d)

---

**From:** s 47E(d) Rick  
**Sent:** Wednesday, 5 September 2018 12:30 PM  
**To:** s 47E(d) Leia  
**Cc:** s 47E(d), Terene  
**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]  
**Importance:** High

Hi Leia,

- how many records did you look at  
20
- on what basis did you find there would be over 3000 clients  
Over the last 17 months the CCS program has received a total of 1733 referrals, averaging just over 100 per month. This means that for the scope of the request the projection is actually 3669 clients or 1223 referrals per financial year.
- how did you estimate the task would take 3 weeks to complete? (is it based on how long it took to do the sample etc). I will need to break down hours in my notice. For example, the notice will need to explain:

- what type of sampling we undertook and the % of records that relates to (e.g. if a request appears voluminous and there are 100 documents, we might look at a 10% sample = 10 documents to form our assessment).  
I undertook a sample of 20 clients which is 20% of once months average allocations.  
20 clients from the total 1223 referral per financial year, results in a percentage sample size of 1.63% of the scope.  
20 clients from the total 3669, results in a percentage sample size of .54% of the scope.
- the total estimated records that need to be assessed  
3669 records in aDVAnce, with multiple screen access to ascertain the details of scope like age, outcome, period of referral etc.
- total number of clients (how did you come to the number of 3000 etc)  
Average of 101.5 referrals per month, results in 1223 referral per financial year, and across 3 financial years totals 3669 referrals. The basis of the average is 1732 referrals received over a 17 month period broken down to an average of 101.5 referrals per month.
- how long it would take to search our records to find the data/information in the format request by the applicant  
3 minutes was the average time to access/review 1 record.
- how long it would take to arrange the data/information in the format request by the applicant  
Approximately another 1 minute to transpose the data into a central record that would form the basis of the response.
- whether any exemptions would apply and how much I need to make a decision on those exemptions (something I can assess)
- how long it would take to create a schedule of documents (not too difficult when creating a document)

In summary, the total scope of request where it takes a total of 4 minutes per client record, is a total of 81 hours for each financial year, and total of 243 hours for the entire scope of request.

If you require any additional information, please don't hesitate to let me know.

Kind Regards

---

**From:** s 47E(d) Leia On Behalf Of INFORMATION.LAW

**Sent:** Tuesday, 4 September 2018 1:08 PM

**To:** s 47E(d) Rick s 47E(d)

**Subject:** RE: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

**Importance:** High

Hi Rick,

Thank you for the below. Is there any more information you can provide, such as the sample you undertook and the calculations used to get those numbers? I appreciate the numbers are high but it isn't enough information for me to issue the diversion notice we spoke about this morning. Any information you can give me about the sample you undertook, including the steps you took to find relevant information and the time it took you to do so would be useful. As discussed this morning, I will need to demonstrate in my notice how big the sample was and link it to the total estimated documents and time to retrieve assess and release etc For example:

- how many records did you look at
- on what basis did you find there would be over 3000 clients

- how did you estimate the task would take 3 weeks to complete? (is it based on how long it took to do the sample etc). I will need to break down hours in my notice. For example, the notice will need to explain:
  - what type of sampling we undertook and the % of records that relates to (e.g. if a request appears voluminous and there are 100 documents, we might look at a 10% sample = 10 documents to form our assessment).
  - the total estimated records that need to be assessed
  - total number of clients (how did you come to the number of 3000 etc)
  - how long it would take to search our records to find the data/information in the format request by the applicant
  - how long it would take to arrange the data/information in the format request by the applicant
  - whether any exemptions would apply and how much I need to make a decision on those exemptions (something I can assess)
  - how long it would take to create a schedule of documents (not too difficult when creating a document)

If you are able to provide more information that would assist me a great deal. Happy to discuss further.

Kind Regards,

Leia s 47E(d)

Assistant Director

Information Law | Legal Services & Assurance | s 47E(d)

ext s 47E(d) | desk s 47E(d)

---

**From:** s 47E(d) Rick

**Sent:** Tuesday, 4 September 2018 10:54 AM

**To:** s 47E(d) Leia s 47E(d)

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

FYI

---

**From:** s 47E(d) Katie

**Sent:** Friday, 10 August 2018 6:27 PM

**To:** s 47E(d)

**Cc:** s 47E(d), Rick s 47E(d)

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Good afternoon DALAS,

Per my earlier discussion with the team, please be advised that the request for FOI 23863 is unable to be provided by 22 August.

Below, is an indication of the size and scope of the request. As well as the timeframe for completion by the portfolio Assistant Director, Rick Carter.

The Coordinated Client Support program provides a single point of contact service to vulnerable and at risk clients of DVA, assisting their navigation of DVA business and ensuring support linkages where required. Whilst Rick has scoped this request as 3 weeks to collate noting the size of the documents, I would add that the team currently do not have a fulltime FTE to release to such a request without it negatively impacting the service to our client cohort.

I am aware that where we have received these types of requests historically, DVA has responded with either an extension of time and/or provided the size and scope details of the request to apportion costing to the applicant. It appears this request may be similar in nature, so please do let us know if you require further information about the impact to BAU in progressing with this matter.

Regards,

**Katie** s 47E(d)

National Director (a/g)  
Coordinated Client Support Program  
Department of Veterans' Affairs  
GPO Box 9998 Melbourne  
T (s 47E(d)) xxt s 47E(d) | M s 47E(d)

---

**From:** s 47E(d) Rick

**Sent:** Friday, 10 August 2018 12:37 PM

**To:** s 47E(d) Katie s 47E(d)

**Subject:** RE: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Hi Katie,

I will be unable to comply with the time frame in the below request.

At first glance, the scope involves over 3000 clients, and based on a quick sample, it would take in excess of 3 weeks full FTE to collate all of the requested data as it is all manual, due to scope.

Can you please advise.

Kind Regards,

**Rick** s 47E(d)

Assistant Director NSW/WA (a/g)  
Coordinated Client Support  
Department of Veterans' Affairs  
t (02) 9213 7272 | ext 417272 | [rick.carter@dva.gov.au](mailto:rick.carter@dva.gov.au)




---

**From:** s 47E(d)

**Sent:** Thursday, 9 August 2018 3:24 PM

**To:** s 47E(d) Jan s 47E(d)

Rick s 47E(d)

, Carol

s 47E(d)

**Cc:** s 47E(d) Katie s 47E(d)

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Hello to the CCS Leadership Group,

I just thought I would bring this email to your collective attention, just in case you were unaware of this FOI request, as it appears that the Legal Branch are asking for a lot of historical data in order to address this request.

Thus, I leave the matter for your consideration.

Thanks,

**Conor** s 47E(d)

Client Support Co-ordinator  
Co-ordinated Client Support Team  
Department of Veterans' Affairs  
s 47E(d)

Ext: s 47E(d)

Ph: s 47E(d)

Fax: s 47E(d)

---

**From:** s 47E(d) Amy On Behalf Of Information.Law

**Sent:** Thursday, 9 August 2018 2:50 PM

**To:** s 47E(d)  
s 47E(d)

**Cc:** Information.Law s 47E(d)

**Subject:** Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Good afternoon,

**Re: Search request for documents related to FOI 23863 (Verity Pane via Right to know)**

On 08 August 2018, the Department received a request for documents under the *Freedom of Information Act 1982* (FOI Act) from Verity Pane via Right to know. A decision on this request is due by the Department not later than COB 7 September 2018. Details of the FOI request are below.

#### **Requested action**

As it is the responsibility of line areas to conduct searches for potentially relevant documents, we would be grateful if you could undertake searches for relevant documents and provide them to Information Law at [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au) by **COB Wednesday 22 August 2018**.

Please note that line areas are required to provide relevant documents to Information Law even if the line area is of the view that the documents should not be released. When responding, please advise of any concerns or sensitives you have about releasing the information in the table below.

If you believe the searches would best sit within a different line area please let us know as soon as possible so this request can be forwarded on for action.

#### **Details of the FOI request & request input by line area**

We would appreciate you completing the yellow highlighted portions of the below table and return it when responding to this request.

FOI applicant and details of the FOI request	
Applicant name:	Verity Pane via Right to know
UIN:	N/A
Verity Pane has sought access to:	

Under s 17 of the FOI Act, I apply for a one page summary document to be compiled from information held in your agency's information systems, that sets out the number of DVA clients, by age group, that were referred to SPOC management by the Coordinated Care unit and Client Liaison Unit (to be listed separately).

As per the relevant ANAO report, the Client Liaison Unit (CLU) was established by DVA in September 2007, and the Coordinated Care (CC) unit in January 2010, following criticisms made by various preceding reviews.

DVA implemented the Case Coordination program to case manage clients identified (Level 3 or Level 2) as being at increased risk of self-harm or harm to others, who have multiple complex needs (although recent veterans who were at risk, such as Jesse Bird, were not managed by this unit). The Client Liaison Unit was established to case manage clients identified (Level 1) as vulnerable or having complex behaviours.

DVA breaks veterans into age groups referred to as 'young veterans' (64 and under) and 'veterans' (65 and over), based on historical retirement age. For the purpose of this FOI, we will stick to this age split.

**Format of compiled document:**

Unit.....FY15/16.....FY16/17.....FY17/18

CLU - >65

CLU - 65+

CC - >65

CC- 65+

The purpose of this FOI is to determine what DVA itself has determined are the numbers of vulnerable veterans, by age group, it has, by reference to the number of referrals it makes (which, as the Jesse Bird case reflects, will be a lower number than the actual number of vulnerable veterans DVA is communicating with, but gives some indicative evidence).

Action/information required	Details/response
<b>Time spent on this request</b>  DVA is required to report annually on the time spent by all DVA staff responding to FOI matters. To assist capturing this information please advise how much time was spent by staff to respond to this search request.	<i>(e.g. APS6 spent 2 hours to search and provide documents to Information Law)</i>
<b>Searches undertaken</b>  Please indicate which systems were searched to identify relevant documents and the results of those searches. *Systems include Y-drive, outlook, TRIM, PDMS, VIEW, hard copies and any other systems your line area has access.	<i>(e.g. Search of TRIM identified relevant documents (details below). Further searches were undertaken in outlook and no documents could be found)</i>
<b>Documents identified</b>  Please advise total number of documents identified that fall within scope of the request detailed above.	<i>(e.g.</i> <ul style="list-style-type: none"> <li><i>TRIM file 123ABC – 10 documents – emails</i></li> <li><i>Y-drive – Folder 456DEF – 5 documents – draft and finalised letters)</i></li> </ul>



<p>Where documents total more than 10, please use the attached table to insert details of those documents. If this applies, in the column to the right, please indicate the source of the documents only (e.g. TRIM file 123ABC etc).</p> <p>*Please remember to attach all relevant documents when responding to this request.</p>	
<p><b>Sensitivities or concerns about releasing the documents</b></p> <p>Please advise Information Law of any concerns you have about releasing the document(s) under the FOI Act. Where concerns are raised, we would appreciate some context to support your concerns.</p> <p>Line areas are the subject matter experts in their respective areas. The Information Law team may need to rely on line areas to assist forming justifications to refuse access to documents. This may include seeking more information about the context in which documents were received, created or provided to other individuals or organisations. Based on the information you provide, the Information Law team will be better placed to determine whether justifications exist under the FOI Act to refuse access to the document(s).</p> <p>If you have any concerns please call or email the Information Law team to discuss the request and/or documents further.</p>	<p><i>(e.g The paper dated 1/1/2020 contains legal advice. It was drafted for the sole purpose of responding to a claim in the AAT) OR (e.g. The information in document X is not usually released to the public because XYZ..... If this information were released it could cause harm because/reveal information that is ...etc)</i></p>

We appreciate your assistance with this request. If you have any questions please do not hesitate to contact us to discuss.

Kind Regards,

Amy <sup>s 47E(d)</sup>

Information Access Assistant

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

<sup>s 47E(d)</sup>

E: [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au)

GPO Box 9998 Canberra ACT 2601

<sup>s 47F</sup>



s 47E(d) Julie

**From:** s 47E(d) Leia on behalf of INFORMATION.LAW  
**Sent:** Tuesday, 4 September 2018 1:08 PM  
**To:** s 47E(d) Rick  
**Subject:** RE: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

**Importance:** High

Hi Rick,

Thank you for the below. Is there any more information you can provide, such as the sample you undertook and the calculations used to get those numbers? I appreciate the numbers are high but it isn't enough information for me to issue the diversion notice we spoke about this morning. Any information you can give me about the sample you undertook, including the steps you took to find relevant information and the time it took you to do so would be useful. As discussed this morning, I will need to demonstrate in my notice how big the sample was and link it to the total estimated documents and time to retrieve assess and release etc For example:

- how many records did you look at
- on what basis did you find there would be over 3000 clients
- how did you estimate the task would take 3 weeks to complete? (is it based on how long it took to do the sample etc). I will need to break down hours in my notice. For example, the notice will need to explain:
  - what type of sampling we undertook and the % of records that relates to (e.g. if a request appears voluminous and there are 100 documents, we might look at a 10% sample = 10 documents to form our assessment).
  - the total estimated records that need to be assessed
  - total number of clients (how did you come to the number of 3000 etc)
  - how long it would take to search our records to find the data/information in the format request by the applicant
  - how long it would take to arrange the data/information in the format request by the applicant
  - whether any exemptions would apply and how much I need to make a decision on those exemptions (something I can assess)
  - how long it would take to create a schedule of documents (not too difficult when creating a document)

If you are able to provide more information that would assist me a great deal. Happy to discuss further.

Kind Regards,

Leia s 47E(d)

Assistant Director

Information Law | Legal Services & Assurance | s 47E(d)

ext s 47E(d) | desk s 47E(d)

---

**From:** s 47E(d) Rick

**Sent:** Tuesday, 4 September 2018 10:54 AM

**To:** s 47E(d) Leia

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]



FYI

---

**From:** s 47E(d) Katie  
**Sent:** Friday, 10 August 2018 6:27 PM  
**To:** s 47E(d)  
**Cc:** s 47E(d) Rick s 47E(d)  
**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Good afternoon DALAS,

Per my earlier discussion with the team, please be advised that the request for FOI 23863 is unable to be provided by 22 August.

Below, is an indication of the size and scope of the request. As well as the timeframe for completion by the portfolio Assistant Director, Rick s 47E(d)

The Coordinated Client Support program provides a single point of contact service to vulnerable and at risk clients of DVA, assisting their navigation of DVA business and ensuring support linkages where required. Whilst Rick has scoped this request as 3 weeks to collate noting the size of the documents, I would add that the team currently do not have a fulltime FTE to release to such a request without it negatively impacting the service to our client cohort.

I am aware that where we have received these types of requests historically, DVA has responded with either an extension of time and/or provided the size and scope details of the request to apportion costing to the applicant. It appears this request may be similar in nature, so please do let us know if you require further information about the impact to BAU in progressing with this matter.

Regards,

**Katie** s 47E(d)  
 National Director (a/g)  
 Coordinated Client Support Program  
 Department of Veterans' Affairs  
 GPO Box 9998 Melbourne  
**T** s 47E(d) , xxt s 47E(d) | **M** s 47E(d)

---

**From:** s 47E(d) Rick  
**Sent:** Friday, 10 August 2018 12:37 PM  
**To:** s 47E(d) Katie s 47E(d)  
**Subject:** RE: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Hi Katie,

I will be unable to comply with the time frame in the below request.

At first glance, the scope involves over 3000 clients, and based on a quick sample, it would take in excess of 3 weeks full FTE to collate all of the requested data as it is all manual, due to scope.

Can you please advise.

Kind Regards,

Rick s 47E(d)

Assistant Director NSW/WA (a/g)  
 Coordinated Client Support  
 Department of Veterans' Affairs  
 t s 47E(d) | ext s 47E(d)




---

**From:** s 47E(d)
**Sent:** Thursday, 9 August 2018 3:24 PM**To:** s 47E(d) Jan <s 47E(d)>

Rick &lt;s 47E(d)&gt;

Carol

&lt;s 47E(d)&gt;

**Cc:** s 47E(d) Katie s 47E(d)

**Subject:** FW: Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Hello to the CCS Leadership Group,

I just thought I would bring this email to your collective attention, just in case you were unaware of this FOI request, as it appears that the Legal Branch are asking for a lot of historical data in order to address this request.

Thus, I leave the matter for your consideration.

Thanks,

*Conor* s 47E(d)

Client Support Co-ordinator  
 Co-ordinated Client Support Team  
 Department of Veterans' Affairs  
 s 47E(d)

Ext: s 47E(d)

Ph: s 47E(d)

Fax: s 47E(d)

---

**From** s 47E(d) Amy On Behalf Of Information.Law
**Sent:** Thursday, 9 August 2018 2:50 PM**To:** s 47E(d)

s 47E(d)

**Cc:** Information.Law s 47E(d)

**Subject:** Search request for documents related to FOI 23863 (Verity Pane via Right to know) - Please provide by 22 August 2018 (or advise if this should be forwarded to another area to respond) [DLM=For-Official-Use-Only]

Good afternoon,

**Re: Search request for documents related to FOI 23863 (Verity Pane via Right to know)**

On 08 August 2018, the Department received a request for documents under the *Freedom of Information Act 1982* (FOI Act) from Verity Pane via Right to know. A decision on this request is due by the Department not later than COB 7 September 2018. Details of the FOI request are below.

**Requested action**

As it is the responsibility of line areas to conduct searches for potentially relevant documents, we would be grateful if you could undertake searches for relevant documents and provide them to Information Law at [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au) by **COB Wednesday 22 August 2018**.

Please note that line areas are required to provide relevant documents to Information Law even if the line area is of the view that the documents should not be released. When responding, please advise of any concerns or sensitives you have about releasing the information in the table below.

If you believe the searches would best sit within a different line area please let us know as soon as possible so this request can be forwarded on for action.

#### Details of the FOI request & request input by line area

We would appreciate you completing the yellow highlighted portions of the below table and return it when responding to this request.

FOI applicant and details of the FOI request	
Applicant name:	Verity Pane via Right to know
UIN:	N/A
Verity Pane has sought access to:	
<p>Under s 17 of the FOI Act, I apply for a one page summary document to be compiled from information held in your agency's information systems, that sets out the number of DVA clients, by age group, that were referred to SPOC management by the Coordinated Care unit and Client Liaison Unit (to be listed separately).</p> <p>As per the relevant ANAO report, the Client Liaison Unit (CLU) was established by DVA in September 2007, and the Coordinated Care (CC) unit in January 2010, following criticisms made by various preceding reviews.</p> <p>DVA implemented the Case Coordination program to case manage clients identified (Level 3 or Level 2) as being at increased risk of self-harm or harm to others, who have multiple complex needs (although recent veterans who were at risk, such as Jesse Bird, were not managed by this unit). The Client Liaison Unit was established to case manage clients identified (Level 1) as vulnerable or having complex behaviours.</p> <p>DVA breaks veterans into age groups referred to as 'young veterans' (64 and under) and 'veterans' (65 and over), based on historical retirement age. For the purpose of this FOI, we will stick to this age split.</p> <p>Format of compiled document:</p> <p>Unit.....FY15/16.....FY16/17.....FY17/18</p> <p>CLU - &gt;65</p> <p>CLU - 65+</p> <p>CC - &gt;65</p> <p>CC- 65+</p> <p>The purpose of this FOI is to determine what DVA itself has determined are the numbers of vulnerable veterans, by age group, it has, by reference to the number of referrals it makes (which, as the Jesse Bird case reflects, will be a lower number than the actual number of vulnerable veterans DVA is communicating with, but gives some indicative evidence).</p>	
Action/information required	Details/response

<p><b>Time spent on this request</b></p> <p>DVA is required to report annually on the time spent by all DVA staff responding to FOI matters. To assist capturing this information please advise how much time was spent by staff to respond to this search request.</p>	<p><i>(e.g. APS6 spent 2 hours to search and provide documents to Information Law)</i></p>
<p><b>Searches undertaken</b></p> <p>Please indicate which systems were searched to identify relevant documents and the results of those searches.</p> <p>*Systems include Y-drive, outlook, TRIM, PDMS, VIEW, hard copies and any other systems your line area has access.</p>	<p><i>(e.g. Search of TRIM identified relevant documents (details below). Further searches were undertaken in outlook and no documents could be found)</i></p>
<p><b>Documents identified</b></p> <p>Please advise total number of documents identified that fall within scope of the request detailed above.</p> <p><i>Where documents total more than 10, please use the attached table to insert details of those documents. If this applies, in the column to the right, please indicate the source of the documents only (e.g. TRIM file 123ABC etc).</i></p> <p>*Please remember to attach all relevant documents when responding to this request.</p>	<p><i>(e.g.</i></p> <ul style="list-style-type: none"> <li><i>• TRIM file 123ABC – 10 documents – emails</i></li> <li><i>• Y-drive – Folder 456DEF – 5 documents – draft and finalised letters)</i></li> </ul>
<p><b>Sensitivities or concerns about releasing the documents</b></p> <p>Please advise Information Law of any concerns you have about releasing the document(s) under the FOI Act. Where concerns are raised, we would appreciate some context to support your concerns.</p> <p>Line areas are the subject matter experts in their respective areas. The Information Law team may need to rely on line areas to assist forming justifications to refuse access to documents. This may include seeking more information about the context in which documents were received, created or provided to other individuals or organisations. Based on the information you provide, the Information Law team will be better placed to determine whether justifications exist under the FOI Act to refuse access to the document(s).</p> <p>If you have any concerns please call or email the Information Law team to discuss the request and/or documents further.</p>	<p><i>(e.g The paper dated 1/1/2020 contains legal advice. It was drafted for the sole purpose of responding to a claim in the AAT) OR (e.g. The information in document X is not usually released to the public because XYZ..... If this information were released it could cause harm because/reveal information that is ...etc)</i></p>

We appreciate your assistance with this request. If you have any questions please do not hesitate to contact us to discuss.

Kind Regards,

Amy <sup>s 47E(d)</sup>

**Information Access Assistant**

Information Law | Legal Services & Assurance Branch

Department of Veterans' Affairs

GPO Box 9998 Canberra ACT 2601

s 47E(d)

E: [informatxxxxxx@xxx.xxx.xx](mailto:informatxxxxxx@xxx.xxx.xx)

s 47F



LEX ID	23863	Outcome	Full access
File notes Date s 22	Type	DVA officer s 47E(d)	Timeframe days

s 47E(d)

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s 22

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17-Sep-18                    1. File note  
Email from Katie CLU advising:

Leia s 47E(d)

Just closing the loop on the below. I have been the A/D CLU since July 2016, and in that time have not supplied CLU data for input into ANAO reports to the best of my knowledge.

During 2017, the CLU were the subject of an efficiency/best practice report completed by KPMG at our request. At the time, I recall our then SRO indicating the CLU had not been reviewed (ANAO or otherwise) since its inception in 2010.

13-Sep-18                    1. File note

Leia s 47E(d)



Received simplified data from Rick. Need to convert into doc for applicant, talk with Rick if needed. did send him email to clarify if CLU data is reported at all in ANAO reports: some content re email chain below:

From: s 47E(d) Rick  
Sent: Thursday, 13 September 2018 10:48 AM

Hi All,

Not a problem, happy to help.

In relation to CLU, I do not believe so, but I have included Katie Marriner on this reply for her input as the AD for CLU.

Kind Regards,

Rick  
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From: s 47E(d) Rick  
Sent: Wednesday, 12 September 2018 2:04 PM

Hi Leia,

I have collated the data for the revised scope.

For the month of June 2018.

97 referrals received to CCS, with a breakdown as follows:

- 11 Level 2 clients accepted into CCS
- 20 Level 3 clients accepted into CCS
- 59 Level 1 clients – outcome of referral being business as usual ( 3 duplicates are included in this number, and the overall referral number)
- 4 Service Coordination clients referred

There were no referrals for CLU and a total of 90 referrals for CCS minus duplicates and Service coordination referrals. Of the 90 referrals for CCS, 4 were over the age of 65 and 86 were under the age of 65.

If you have any questions, please feel free to contact me.

Kind Regards,

Rick

12-Sep-18                      1. File note                      Leia s 47E(d)

Spoke with Rick. He said he has extracted the data but would like to send through with some clarification so as to limit any misunderstanding re the data. I said that was a good idea and would wait for his data to see how I can put it all together as requested. Will call him if I have any questions once received.

11-Sep-18                      1. File note                      Leia s 47E(d)  
s 22

FOI 21147, 23544 & 23863 - have asked Amy to collate info requested.

7-Sep-18                      1. File note                      Leia s 47E(d)  
Rick advised will have info to us by 12/13 Sept

7-Sep-18                      3. Tme extension                      Leia s 47E(d)                      14  
Applicant advised would give EOT to 21/9/18 to process request

7-Sep-18 1. File note Leia s 47E(d)

Applicant responded to 24AB notice - has revised scope to June 2018 only. Have emailed advising this removes the practical refusal reason. Applicant also offered EOT to 21/9/18. Sent email to business area re revised scope and asked for them to process.

6-Sep-18 1. File note Leia s 47E(d)

Sent 24AB notice to applicant - has 14 days to respond (20/9/18)

6-Sep-18 1. File note Leia s 47E(d)

Went through information from Rick and formed my estimates as follows:

Following initial enquiries, I estimate that 246.6 hours of processing time is required to deal with this request. The reasons for this are as follows:

- Your request asks the Department to create a document under section 17 of the FOI Act. To do so, the Department needs to retrieve data that is not readily available, review that data and assemble it in the manner you have requested. This requires, for example:
  - a) initial searches and retrieval of data that may be relevant to your request;
  - b) extraction and sorting the data into Financial Years;
  - c) extraction of the relevant information into a new document;
  - d) sorting the data into the categories you have requested (e.g. CLU - > 65); and
  - e) removal of identifying information.
- It has been estimated that there are approximately 3,669 records that need to be examined. Over the past 17 months the CCS program has received a total of 1,733 referrals, averaging at 101.5 per month. This means that for the scope of the request, the projection is actually 3,669 clients or 1,223 referrals per financial year.
- It is estimated that a total of 244.6 hours would be required to search, retrieve, assess and transpose the data you seek into an accessible format (equivalent to 81.53 hours per Financial Year). This estimate is based on a sample of 20 clients, which represent an estimated 20 per cent of the monthly average of 101.5 referrals. Undertaking this task revealed that:
  - a) it would take three (3) minutes on average to access and review one (1) record; and
  - b) it would take an additional one (1) minute per record to transpose the data into a central record that would form the basis of the section 17 document.
- This sample took over an hour to complete. As 20 clients represent .0054 per cent of the total clients, it is reasonable to assume that it would take 244.6 hours to undertake this task for all relevant records.
- The relevant document once finalised, will have to be analysed and a decision made before it can be released to you. I do not consider at this stage, that any of the information is likely to be exempt from disclosure under the FOI Act. As such, I estimate that it would take approximately one (1) hour to draft the Statement of Reasons, the Schedule of Documents and to finalise the section 17 document, noting on initial review that exemptions are unlikely to apply.

The above estimate does not take into account the time taken to initially respond to your request, send search requests, undertake a sample or to issue this notice to you. This would bring the total time to process your request to at least 246.9 hours.

5-Sep-18 1. File note Leia s 47E(d)

Rick sent through info - need to assess and speak with Rick:

Hi Leia,

- how many records did you look at  
20

- on what basis did you find there would be over 3000 clients

Over the last 17 months the CCS program has received a total of 1733 referrals, averaging just over 100 per month. This means that for the scope of the request the projection is actually 3669 clients or 1223 referrals per financial year.

- how did you estimate the task would take 3 weeks to complete? (is it based on how long it took to do the sample etc). I will need to break down hours in my notice. For example, the notice will need to explain:
  - o what type of sampling we undertook and the % of records that relates to (e.g. if a request appears voluminous and there are 100 documents, we might look at a 10% sample = 10 documents to form our assessment). I undertook a sample of 20 clients which is 20% of once months average allocations. 20 clients from the total 1223 referral per financial year, results in a percentage sample size of 1.63% of the scope. 20 clients from the total 3669, results in a percentage sample size of .54% of the scope.

- o the total estimated records that need to be assessed  
3669 records in aDVAnce, with multiple screen access to ascertain the details of scope like age, outcome, period of referral etc.

- o total number of clients (how did you come to the number of 3000 etc)  
Average of 101.5 referrals per month, results in 1223 referral per financial year, and across 3 financial years totals 3669 referrals. The basis of the average is 1732 referrals received over a 17 month period broken down to an average of 101.5 referrals per month.

- o how long it would take to search our records to find the data/information in the format request by the applicant  
3 minutes was the average time to access/review 1 record.

- o how long it would take to arrange the data/information in the format request by the applicant  
Approximately another 1 minute to transpose the data into a central record that would form the basis of the response.

- o whether any exemptions would apply and how much I need to make a decision on those exemptions (something I can assess)

- o how long it would take to create a schedule of documents (not too difficult when creating a document)

In summary, the total scope of request where it takes a total of 4 minutes per client record, is a total of 81 hours for each financial year, and total of 243 hours for the entire scope of request.

4-Sep-18

1. File note

Leia s 47E(d)

Spoke with Rick about this FOI. He explained that his estimates from a sample of only 10 amounted to more than 100hours (just for 1 x FY). I said that we could issue a 24AB notice, but that we need to give options on how the request can be revised and be detailed in how we have formed the estimates. Asked him to provide me more information about the work involved and the sample he undertook. Said we can then determine an overall estimate.

Rick said that he would never be able to have the time to process the process the request as he can't take that much time away from his usual duties. I explained that we need to ensure practical refusal really does exist and make it clear in the notice to applicant the reasons for this. Advised I need more information to justify at this stage. Rick said he will get me the information by tomorrow.

Will progress request and not issue charges at this stage. Not wanting to request EOT at this stage noting time that has already passed & may not be reasonable if going to issue 24AB. May need to get EOT pending outcome of revised scope/24AB.

31-Aug-18                      1. File note                      Leia <sup>s 47E(d)</sup>  
Email from Rick re volume of work involved. Called to discuss. Left VM & sent email asking him to call me to discuss.

Could consider EOT via 15AA or 15AB, issuing charges and also 24AB pending discussion, but need more info before I know what option(s) are viable and reasonable.

30-Aug-18                      1. File note                      Amy <sup>s 47E(d)</sup>  
Follow up re searches

17-Aug-18                      1. File note                      Amy <sup>s 47E(d)</sup>  
Hi Leia

I've had a discussion with Sonia and she has provided me with the advice that was forwarded to Information Access earlier this year (see below).

Sonia has indicated that this information is still accurate but at this time the CLU simply does not have the capacity to undertake it due to staff movements and staff leave.

Please let me know if you need anything further in relation to this.

Cheers  
Anthony  
Client Liaison Unit

Leia: Spoke with CLU - will progress request and not issue charges at this stage. Not wanting to request EOT until I have more info.

8-Aug-18                      5. Clock start                      Amy <sup>s 47E(d)</sup>                      30  
Clock started