



Australian Government
Attorney-General's Department

Our ref: FOI19/011; CM19/347

31 January 2019

D Ward

By email: foi+request-5204-2815bbec@righttoknow.org.au

Dear D Ward

Freedom of Information Request FOI19/011 – Decision Letter

The purpose of this letter is to give you a decision about access to documents that you requested under the *Freedom of Information Act 1982* (the FOI Act).

Your Request

On 4 January 2019, you wrote to the Department of Finance requesting access to the following:

The former Attorney-General George Brandis met and ate with Mr George Pell in May 2015, as reported here:

<https://www.youtube.com/watch?v=BmaXYN9SilU>

Under the FOI Act, I seek access to documents that concern any expenses incurred/claimed by the former Attorney-General associated with his meeting/lunch date with Mr George Pell. Such documents may include relevant restaurant receipts, taxi receipts and credit card statements.

On 9 January 2019, the Department of Finance transferred this request to the Attorney-General's Department (the department) under section 16 of the FOI Act because the subject-matter of the request is more closely connected with the functions of the department.

A decision in relation to your request is due on 3 February 2019.

My Decision

I am an officer authorised under subsection 23(1) of the FOI Act to make decisions in relation to freedom of information requests made to the department.

Before making my decision in relation to your FOI request, I took all reasonable steps to locate the documents to which you seek access. This included making inquiries of staff likely to be able to identify relevant documents and arranging for comprehensive searches of

relevant departmental electronic holdings. I have identified that the department does not hold any documents within the scope of your request.

In making my decision, I have taken the following material into account:

- the terms of your request
- the provisions of the FOI Act, and
- the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).

On the basis that the documents to which you have requested access do not exist, I have decided to refuse access pursuant to section 24A of the FOI Act. Relevantly, section 24A of the FOI Act provides as follows:

Requests may be refused if documents cannot be found, do not exist or have not been received

Document lost or non-existent

- (1) An agency or Minister may refuse a request for access to a document if:
 - (a) all reasonable steps have been taken to find the document; and
 - (b) the agency or Minister is satisfied that the document:
...
(ii) does not exist.

Additional Information

Your review rights under the FOI Act are set out at **Attachment A** to this letter.

If you wish to discuss this decision, the FOI case officer for this matter is Alex, who can be reached on (02) 6141 6666 or at foi@ag.gov.au.

Yours sincerely



Katrina Fairburn
Director, FOI Unit

Attachments

Attachment A: Review Rights