

From: [Moran, Celeste](#)
To: [Reid, John](#); [PMC Media](#)
Cc: [s22](#) ; [Martin, Gerard](#); [Foster, Stephanie](#)
Subject: RE: Media query: FOI complaint [SEC=UNCLASSIFIED]
Date: Monday, 24 June 2019 3:40:05 PM
Attachments: [image001.png](#)

UNCLASSIFIED

Dear [s22](#)

Please see below response cleared by Stephanie and John.

Thanks
Celeste

The Department of the Prime Minister and Cabinet takes its statutory obligations under the *Freedom of Information Act 1982* and the *Public Interest Disclosure Act 2013* seriously. It would not be appropriate for the Department to comment publicly on specific cases under the FOI Act or the PID Act.

The Department processes FOI requests in accordance with its obligations under the FOI Act, the Guidelines issued under section 93A of the FOI Act, and internal Department resources such as the FOI Business Rules. As at the end of the third quarter of 2018-19 (year to date), approximately 93% of PM&C decisions were finalised within applicable statutory timeframes.

From: Reid, John
Sent: Monday, 24 June 2019 10:43 AM
To: PMC Media ; Moran, Celeste
Cc: [s22](#)
Subject: RE: Media query: FOI complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [s22](#),

Yep, confirming that we're on it, and we're working to the journalist's deadline.

Cheers,
JR

From: PMC Media <xxxxxx@xxx.xxx.xx>
Sent: Monday, June 24, 2019 10:40 AM
To: Moran, Celeste <xxxxxxxx.xxxxx@xxx.xxx.xx>; Reid, John <xxxx.xxxx@xxx.xxx.xx>
Cc: PMC Media <xxxx@xxx.xxx.xx>; [s22](#) FOI <xxx@xxx.xxx.xx>
Subject: RE: Media query: FOI complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning John and Celeste,

I understand you've been made aware of the below media enquiry. Please may you confirm if someone in your team/s can action it today?

Kind Regards,

[s22](#)

PM&C Media

Communications Branch

Department of the Prime Minister and Cabinet

s22

e. xxxxx@xxx.xxx.xx | w. www.pmc.gov.au



From: PMC Media <xxxxx@xxx.xxx.xx>

Sent: Friday, 21 June 2019 4:44 PM

To: s22 [REDACTED] FOI <xxx@xxx.xxx.xx>

Cc: PMC Media <xxxxx@xxx.xxx.xx>

Subject: FW: Media query: FOI complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi team,

Please see below media enquiry we've received. Kindly let us know if this is something you can assist with?

Kind Regards,

s22

PM&C Media

Communications Branch

Department of the Prime Minister and Cabinet

s22

e. xxxxx@xxx.xxx.xx | w. www.pmc.gov.au



From: s22 [REDACTED]

Sent: Friday, 21 June 2019 4:40 PM

To: PMC Media <xxxxx@xxx.xxx.xx>

Subject: Media query: FOI complaint

Hi team,

I just had a query about a PID complaint made about the handling of FOI requests at PM&C.

Apologies for the late Friday email - I don't need a response until late Monday.

I have evidence suggesting the following:

- an anonymous PID complaint was made in late 2017.
- it alleged the department was breaching the FOI act in one of every two FOI applications it received. The main allegation of unlawfulness was that statutory timeframes were routinely being breached without reason. This had the effect of delaying FOIs until the information requested became redundant or outdated. It alleged this demonstrated a continual disregard for the rule of law. The complaint included 25 examples of FOIs that were said to have breached provisions of the FOI Act.
- the PID complaint also alleged that FOIs that were politically sensitive were more likely to be subject to this treatment.

- PM&C investigated the PID complaint and devoted significant time and effort to examining the concerns. The investigation found disclosable conduct in five cases, indicating unlawful conduct. The five cases included an FOI requesting Tony Abbott's expense entitlements as a former PM, which was delayed by four months without explanation, and then heavily redacted when it was eventually released. The investigation otherwise rejected allegations it was systematically breaching the law, had a disregard for the law, or was deliberately delaying the release of politically-sensitive material.

My questions are:

- what has since been done to ensure FOI complaints are handled in a way that does not breach the FOI act?
- what did the department do to investigate the PID complaint? does the department believe it has responded satisfactorily to address the disclosable conduct it found?
- does the department concede it treated five of the 25 FOI cases in a manner that breached FOI law?
- why did the department reject allegations that it was systematically breaching FOI law?
- has the department ever deliberately delayed the release of politically sensitive documents, as alleged? did it do so in regards to the FOI involving Tony Abbott and his former expenses?

I was hoping for a response by 4pm Monday.

Many thanks,

s22



s22



This e-mail and all attachments are confidential and may also be privileged. If you are not the named recipient, please notify the sender and delete the e-mail and all attachments immediately. Do not disclose the contents to another person. You may not use the information for any purpose, or store, or copy, it in any way. Guardian News & Media Limited is not liable for any computer viruses or other material transmitted with or as part of this e-mail. You should employ virus checking software.

Guardian News & Media Limited is a member of Guardian Media Group plc. Registered Office: PO Box 68164, Kings Place, 90 York Way, London, N1P 2AP. Registered in England Number 908396

From: [PMC Media](#)
To: [Moran, Celeste](#); [Reid, John](#); [PMC Media](#)
Cc: [s22](#) [Martin, Gerard](#); [Foster, Stephanie](#)
Subject: RE: Media query: FOI complaint [SEC=UNCLASSIFIED]
Date: Monday, 24 June 2019 3:42:22 PM
Attachments: [image001.png](#)

UNCLASSIFIED

Hi Celeste,

Thank you very much. I will send this back to the journalist now.

Kind Regards,

s22

PM&C Media

Communications Branch
 Department of the Prime Minister and Cabinet

s22

e. xxxxx@xxx.xxx.xx | w. www.pmc.gov.au



From: Moran, Celeste
Sent: Monday, 24 June 2019 3:40 PM
To: Reid, John ; PMC Media
Cc: [s22](#) ; Martin, Gerard ; Foster, Stephanie
Subject: RE: Media query: FOI complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear **s22**

Please see below response cleared by Stephanie and John.

Thanks

Celeste

The Department of the Prime Minister and Cabinet takes its statutory obligations under the *Freedom of Information Act 1982* and the *Public Interest Disclosure Act 2013* seriously. It would not be appropriate for the Department to comment publicly on specific cases under the FOI Act or the PID Act.

The Department processes FOI requests in accordance with its obligations under the FOI Act, the Guidelines issued under section 93A of the FOI Act, and internal Department resources such as the FOI Business Rules. As at the end of the third quarter of 2018-19 (year to date), approximately 93% of PM&C decisions were finalised within applicable statutory timeframes.

From: Reid, John <xxxx.xxxx@xxx.xxx.xx>

Sent: Monday, 24 June 2019 10:43 AM

To: PMC Media <xxxxx@xxx.xxx.xx>; Moran, Celeste <xxxxxxxx.xxxxx@xxx.xxx.xx>

Cc: [s22](#)

Subject: RE: Media query: FOI complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s22 ,

Yep, confirming that we're on it, and we're working to the journalist's deadline.

Cheers,

JR

From: PMC Media <xxxxxx@xxx.xxx.xx>

Sent: Monday, June 24, 2019 10:40 AM

To: Moran, Celeste <xxxxxxxx.xxxxx@xxx.xxx.xx>; Reid, John <xxxx.xxxx@xxx.xxx.xx>

Cc: PMC Media <xxxxx@xxx.xxx.xx>; s22

FOI

<xxx@xxx.xxx.xx>

Subject: RE: Media query: FOI complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning John and Celeste,

I understand you've been made aware of the below media enquiry. Please may you confirm if someone in your team/s can action it today?

Kind Regards,

s22

PM&C Media

Communications Branch

Department of the Prime Minister and Cabinet

s22

e. xxxxxx@xxx.xxx.xx | w. www.pmc.gov.au



From: PMC Media <xxxxxx@xxx.xxx.xx>

Sent: Friday, 21 June 2019 4:44 PM

To: s22 FOI <xxx@xxx.xxx.xx>

Cc: PMC Media <xxxxx@xxx.xxx.xx>

Subject: FW: Media query: FOI complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi team,

Please see below media enquiry we've received. Kindly let us know if this is something you can assist with?

Kind Regards,

s22

PM&C Media

Communications Branch

Department of the Prime Minister and Cabinet

s22

e. xxxxx@xxx.xxx.xx | w. www.pmc.gov.au



From: s22

Sent: Friday, 21 June 2019 4:40 PM

To: PMC Media <xxxxx@xxx.xxx.xx>

Subject: Media query: FOI complaint

Hi team,

I just had a query about a PID complaint made about the handling of FOI requests at PM&C.

Apologies for the late Friday email - I don't need a response until late Monday.

I have evidence suggesting the following:

- an anonymous PID complaint was made in late 2017.
- it alleged the department was breaching the FOI act in one of every two FOI applications it received. The main allegation of unlawfulness was that statutory timeframes were routinely being breached without reason. This had the effect of delaying FOIs until the information requested became redundant or outdated. It alleged this demonstrated a continual disregard for the rule of law. The complaint included 25 examples of FOIs that were said to have breached provisions of the FOI Act.
- the PID complaint also alleged that FOIs that were politically sensitive were more likely to be subject to this treatment.
- PM&C investigated the PID complaint and devoted significant time and effort to examining the concerns. The investigation found disclosable conduct in five cases, indicating unlawful conduct. The five cases included an FOI requesting Tony Abbott's expense entitlements as a former PM, which was delayed by four months without explanation, and then heavily redacted when it was eventually released. The investigation otherwise rejected allegations it was systematically breaching the law, had a disregard for the law, or was deliberately delaying the release of politically-sensitive material.

My questions are:

- what has since been done to ensure FOI complaints are handled in a way that does not breach the FOI act?
- what did the department do to investigate the PID complaint? does the department believe it has responded satisfactorily to address the disclosable conduct it found?
- does the department concede it treated five of the 25 FOI cases in a manner that breached FOI law?
- why did the department reject allegations that it was systematically breaching FOI law?
- has the department ever deliberately delayed the release of politically sensitive documents, as alleged? did it do so in regards to the FOI involving Tony Abbott and his former expenses?

I was hoping for a response by 4pm Monday.

Many thanks,

s22

s22



s22

This e-mail and all attachments are confidential and may also be privileged. If you are not the named recipient, please notify the sender and delete the e-mail and all attachments immediately. Do not disclose the contents to another person. You may not use the information for any purpose, or store, or copy, it in any way. Guardian News & Media Limited is not liable for any computer viruses or other material transmitted with or as part of this e-mail. You should employ virus checking software.

Guardian News & Media Limited is a member of Guardian Media Group plc. Registered Office: PO Box 68164, Kings Place, 90 York Way, London, N1P 2AP. Registered in England Number 908396