



Australian Government
Department of Defence

Reference: B04057684

FOI 077/19/20 - STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by Mr Joshua Morrison under the *Freedom of Information Act 1982* (FOI Act), for access to:

“full details of any payments made to Young Diggers' dog squad from the department from 2012 - Today's Date (12 Aug 19)”.

FOI decision maker

2. I am the authorised officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

Documents identified

3. No documents were identified as matching the description of the request.

Decision

4. I have decided to refuse access to documents under section 24A(1)(b)(ii) [Requests may be refused if documents cannot be found, do not exist or have not been received] of the FOI Act.

Material taken into account

5. In making my decision, I had regard to:
- the terms of the request;
 - relevant provisions in the FOI Act;
 - the *Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act* (the Guidelines); and
 - advice received from Director General Chaplaincy – Air Force (DGCHAP-AF) and the Assistant Secretary Finance – Air Force (ASF-AF).

Reasons for decision

Section 24A – Request may be refused if documents cannot be found, do not exist or have not been received

6. Section 24A(1) of the FOI Act states: *Documents lost or non – existent*
- (1) an agency or Minister may refuse a request for access to a document if:*
- all reasonable steps have been taken to find the document; and*
 - the agency or Minister is satisfied that the document:*
 - is in the agency's or Minister's possession but cannot be found; or*

(ii) does not exist.

7. Paragraph 3.84 of the Information Commissioner Guidelines advises what detail this statement of reasons needs to include to refuse a request under section 24A(1):

The statement of reasons given to the applicant should sufficiently identify the document, explain why it cannot be found or is known not to exist or to be in the agency's possession, describe the steps the agency took to search for the document, and note the limitations of any search.

8. To ensure that “all reasonable steps” have been taken in this request, every reasonable avenue of locating the documents has been exhausted. The details of these searches are outlined below.

9. Personnel within DGCHAP-AF and the ASF-AF undertook electronic searches of Defence systems including the Defence records management system (Objective), the Defence Restricted Network (DRN) and Defence financial systems, as well as hard copy and archived files, in an effort to locate documents that may provide the information the applicant is seeking. No documents were found matching the scope of the applicant’s request.

10. Based on the above I am satisfied that “all reasonable steps” have been taken to locate the requested documents. I have therefore decided to refuse access to the documents requested under section 24A(1) of the FOI Act.

Further information

11. DGCHAP-AF provided the advice that whilst there was a Memorandum of Understanding (MOU) with YDDS, which the applicant received a copy of through FOI 169/18-19, this agreement was never enacted.

anthony.stai
nton

Digitally signed by
anthony.stainton
Date: 2019.09.02
08:11:19 +10'00'

A. Stainton
Group Captain
Accredited Decision Maker
Air Force

September 2019