



CDPP

Australia's Federal Prosecution Service

Commonwealth Director
of Public Prosecutions

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Level 3, 28 Sydney Avenue
Forrest ACT 2603

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www.cdpp.gov.au

Your Reference:

Our Reference:

8 April 2020

John Smith

Via: foi+request-6276-aed17479@righttoknow.org.au

Dear Mr Smith

**Your email dated 8 April 2020 –
'Freedom of Information request – Submission template – most recent'**

I refer to your email of 8 April 2020 requesting access under the *Freedom of Information Act 1982* (Cth) (the FOI Act) to the following:

I request a copy of the most recent template used throughout your organisation, for the purpose of preparing; submissions to court.

What I am looking for, is the document that CDPP prosecutors often use, to save time in the preparation of their submissions, and keep organisational documents looking consistent. I am wondering if such a document exists on your organisation's shared drive.

AUTHORISATION

I am a person authorised by the Director of Public Prosecutions to make decisions on requests for access to documents under the FOI Act. My name and position are:

Kirstin Duncan
Senior Federal Prosecutor
International Assistance and Specialist Agencies

DECISION

Your request for access to a document falling within the terms of your request is refused pursuant to section 24A of the FOI Act. No such document exists.

REASONS FOR DECISION AND FINDINGS OF MATERIAL FACTS

A search was conducted of the records of the CDPP. No such document falling within the terms of your request was found. I am satisfied that no such document exists.

The CDPP is a national prosecution service and we practice in each State and Territory of Australia. CDPP prosecutors appear in all levels of the courts from Magistrates Courts to the High Court. There are jurisdictional variations across our offices and numerous submissions that form part of the prosecution process including submissions relating to bail, sentencing, breaches, appeals etc. This is not an exhaustive list of submission types. The CDPP does not have a universal submission template that is used throughout our agency for the purpose of preparing submissions to court.

RIGHTS OF REVIEW

Under section 26 of the FOI Act I am required to inform you of your rights of review.

Section 54 of the FOI Act gives you the right to apply for an internal review of the decision refusing to grant access to documents. An application for internal review of the decision must be made in writing within 30 days of receipt of this letter. No particular form is required but it is desirable to set out in the application the grounds on which you consider the decision should be reviewed. An application may be sent to FOI@cdpp.gov.au or to the following postal address:

FOI Coordinator
Commonwealth DPP
PO Box 3104
CANBERRA ACT 2617

If the decision on internal review goes against you, you are entitled to seek a review of that decision by the Information Commissioner. Alternatively, you are entitled to bypass the internal review process and make an application directly with the Office of the Information Commissioner pursuant to section 54L of the FOI Act.

An application to the Information Commissioner may be made in writing and should be directed to the following address:

Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner also accepts online requests via their website. You can locate the relevant form at www.oaic.gov.au

Yours faithfully



Kirstin Duncan
Senior Federal Prosecutor
International Assistance Specialist Agencies