



Australian Government
Attorney-General's Department

Our ref: FOI21/088; CM21/83861

12 July 2021

Melissa Jones

By email: foi+request-7422-66c5a7a5@righttoknow.org.au

Dear Ms Jones

Freedom of Information Request FOI21/088 – Decision Letter

The purpose of this letter is to give you a decision about your request for access to documents under the *Freedom of Information Act 1982* (the FOI Act) which you submitted to the Attorney-General's Department (the department).

Your Request

On 11 June 2021, you requested access to:

...a dollar figure for the last 5 financial years' general ledger for the Australian Government Solicitor. We are not asking for the details being the GL just the expenditure by line item for the department for the 5 years

On 25 June 2021, the department acknowledged your request.

On 6 July 2021, the department advised you the Australian Government Solicitor is a group within the Attorney-General's Department (the department), and the information you are seeking is consolidated within the department's annual report publications, available publicly on the department's website.

As the department did not receive your agreement to the withdrawal of your formal FOI request by 8 July 2021, the department has continued with processing of your request under the FOI Act.

A decision in relation to your request is due on 12 July 2021.

My Decision

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

I have decided to refuse your request as the department is exempt from the operation of the FOI Act in relation to documents in respect of activities undertaken by the Australian Government Solicitor. I note the Australian Government Solicitor is a group of the department. The operation of this exemption is explained further below.

In making my decision regarding access to the relevant documents, I have taken the following material into account:

- the terms of your request

- the provisions of the FOI Act (specifically section 7(2) and Part II of Schedule 2), and
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act.

Exemption of certain persons or bodies (section 7(2))

Section 7(2) of the FOI Act provides that:

(2) The persons, bodies and Departments specified in Part II of Schedule 2 are exempt from the operation of this Act in relation to the documents referred to in that Schedule in relation to them.

Division 1 of Part II of Schedule 2 lists the department as exempt from the operation of the FOI Act in relation to:

(b) documents in respect of activities undertaken by the Australian Government Solicitor.

I am satisfied any documents the department might hold that are covered by the terms of your request fall within the scope of this exemption and are therefore not subject to the FOI Act.

Additional Information

As noted above, the Australian Government Solicitor is a group within the Attorney-General's Department (the department), and the information you are seeking is consolidated and publicly available within the department's annual report publications. The annual reports are accessible on our website <https://www.ag.gov.au/about-us/accountability-and-reporting/annual-reports>. Expenditure information by line item is located under the financial statements section of each year's annual report.

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

Questions about this decision

If you wish to discuss this decision, please contact Mila by telephone on (02) 6141 6666 or by email to foi@ag.gov.au.

Yours sincerely



Antony Catt
Director
Freedom of Information and Privacy Section