



Solicitor-General of the Commonwealth of Australia

Mr Matthew Peos

By email: foi+request-7934-62918a48@righttoknow.org.au

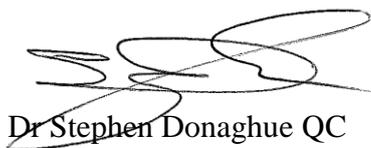
Dear Mr Peos

REQUEST FOR ACCESS TO DOCUMENTS – REFUSAL DECISION

1. I refer to your email of 30 October 2021 which was received by the Attorney-General's Department and addressed to me.
2. I also refer to my letter of 18 October 2021 in which I advised you that I intended to refuse your request for access to document/s dated 5 October 2021 on the basis that it did not satisfy s 15(2)(b) of the *Freedom of Information Act 1982* (Cth) (**Act**). This is the requirement that the request provide such information concerning the document/s as is reasonably necessary to enable a reasonable officer of the agency to identify the document/s. By that letter, I also invited you to do one of the following within 14 days (in accordance with s 24AB of the Act):
 - (a) withdraw your request;
 - (b) revise the scope of your request to clarify the document/s in relation to which you are seeking access; or
 - (c) indicate that you do not wish to revise your request.
3. I note that your email of 30 October 2021 refers to seeking internal review, but it does not indicate that you wish to withdraw your request or revise the scope of your request. I consider that your email of 30 October 2021 constitutes an indication that you do not wish to revise your request.

4. Having undertaken the request consultation process, I consider that your emails of 5 October 2021 and 30 October 2021 do not provide such information as is reasonably necessary to enable me to identify the document/s that are requested. For this reason, I am satisfied that a “practical refusal reason” exists within the meaning of s 24AA(1)(b) of the Act.
5. As Solicitor-General, and the “principal officer” of the agency, I am authorised under s 23(1) of the Act to make decisions in relation to applications made to me for access to documents under the Act. As I am satisfied that a “practical refusal reason” exists, I refuse your request for access in accordance with s 24(1)(b) of the Act.
6. If you are not satisfied with my decision, I note that internal review is not available as it was made personally by me as the principal officer of the agency: s 54(1) of the Act. However, you may apply to the Australian Information Commissioner for review of my decision within 60 days of the date of this letter, subject to any extension of time granted by the Commissioner: s54S of the Act. You may also make a complaint to the Commissioner about action taken by me in the performance of functions, or the exercise of powers, under the Act. Any such application or complaint must be in writing and may be lodged in one of the following ways:
 - online: [https://forms.business.gov.au/aba/oaic/foi-review-/](https://forms.business.gov.au/aba/oaic/foi-review/)
 - email: enquiries@oaic.gov.au
 - post: GPO Box 5218, SYDNEY NSW 2001
 - fax: (02) 9284 9666
7. Further information on how to make an application or a complaint can be found on the Commissioner’s website at www.oaic.gov.au.

Yours faithfully



Dr Stephen Donaghue QC
Solicitor-General of the
Commonwealth of Australia

3 December 2021