



**Australian Government**

**Department of the Prime Minister and Cabinet**

ONE NATIONAL CIRCUIT  
BARTON

FOI/2021/259

***FREEDOM OF INFORMATION ACT 1982***

**REQUEST BY: Ms Matilda Bawden**

**DECISION BY: Mr Matthew Flint  
Assistant Secretary  
COVID-19 Response Taskforce**

By email: [foi+request-7943-92214d63@righttoknow.org.au](mailto:foi+request-7943-92214d63@righttoknow.org.au)

Dear Ms Bawden

I refer to your email of 9 October 2021 in which you made a request (the **FOI request**) under the *Freedom of Information Act 1982* (the **FOI Act**) to the Department of the Prime Minister and Cabinet (the **Department**) in the following terms:

*I hereby request any & all Green Papers & White Papers, including drafts, to detail grounds for caution or call for the need for lockdowns &/or other State-wide restrictions on individuals, businesses &/or corporations, due to alleged State of Emergency on grounds of "Pandemic". I request evidence of all scientific reports and studies used in any such Green and White papers also.*

**Authorised decision-maker**

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the FOI Act.

**Decision**

I have decided to refuse your FOI request under section 24A(1)(b) of the FOI Act, on the basis that the Department has taken all reasonable steps to locate the documents you have requested, and those documents cannot be found or do not exist.

In making this decision, I have had regard to the following material:

- the terms of your request;
- searches undertaken by the Department regarding your request;
- the FOI Act; and

- the ‘Guidelines issued by the Australian Information Commissioner under section 93A of the *Freedom of Information Act 1982*’ (the **FOI Guidelines**).

## Reasons

Section 24A(1) of the FOI Act provides that:

*An agency or Minister may refuse a request for access to a document if:*

- (a) all reasonable steps have been taken to find the document;*
- and*
- (b) the agency or Minister is satisfied that the document:*
  - (i) is in the agency’s or Minister’s possession but cannot be found; or*
  - (ii) does not exist.*

Searches were undertaken across the Department’s records management system for documents that would meet the terms of your request. As a result of these searches, no documents relevant to your request have been identified.

I am satisfied that all reasonable steps have been taken to find documents relevant to your request, and that the requested documents cannot be found or do not exist. I have therefore decided to refuse your request under section 24A(1)(b) of the FOI Act.

## Review rights

Information about your rights of review under the FOI Act is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

## Complaint rights

You may make a complaint to the Information Commissioner about the Department’s actions in relation to a request. Making a complaint about the way the Department has handled an FOI request is a separate process to seeking review of the Department’s decision. Further information about how to make a complaint is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>.

Yours sincerely



Matthew Flint  
Assistant Secretary  
COVID-19 Response Taskforce  
9 November 2021