

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Program All

Question No. 93

Senator Humphries asked the following question at the hearing on 18 October 2011:

Freedom of Information

- a) Has the Department/Agency received any advice on how to respond to FOI requests?
- b) How many FOI requests has the Department received for the year 2010-11? How many have been granted or denied?
- c) How many conclusive certificates have been issued in relation to FOI requests for the year 2010-11?
- d) How many FOI requests has the Department received for this FYTD? How many have been granted or denied?
- e) How many conclusive certificates have been issued in relation to FOI requests for this FYTD?

The answer to the honourable senator's question is as follows:

- a) The Department of the Prime Minister and Cabinet provided FOI Guidance Notes to all departments on 28 July 2011. A copy of the guidance issued is available at 'www.dpmc.gov.au/foi/guidance_notes.cfm'.

Australian Crime Commission staff involved in administering the FOI regime have received training from the Australian Government Solicitor and the Office of the Australian Information Commissioner.

The following agencies did not receive any advice on how to respond to FOI requests: Australian Law Reform Commission and Commonwealth Director of Public Prosecutions.

The Australian Government Solicitor and the Australian Security Intelligence Organisation are exempt from the operation of the *Freedom of Information Act 1982*. Therefore no advice on how to respond was sought or received by these two bodies.
- b) The number of requests received by the Attorney-General's Department is contained in the 2010-11 annual report on the operation of the *Freedom of Information Act 1982*.
- c) None. The *Freedom of Information (Removal of Conclusive Certificates and Other Measures) Act 2009* repealed the power to issue conclusive certificates in the *Freedom of Information Act 1982*.
- d) See the table below.
- e) None, see answer to part c) above.

1 July to 18 October 2011

Department/Agency	FOI requests received	Access granted in full or in part	Access refused
Attorney-General's Department	150	33	Nil
Australian Commission for Law Enforcement Integrity	3	3	0
Australian Crime Commission	11	2	4
Australian Customs and Border Protection Service	38	10	1
Australian Federal Police	94	55	29
Australian Government Solicitor	N/A. AGS is an exempt Agency under Schedule 2 of the <i>Freedom of Information Act 1982</i> .	N/A	N/A
Australian Human Rights Commission	5	1	2
Australian Law Reform Commission	1	Nil	Nil
Australian Security Intelligence Organisation	N/A. ASIO is an exempt agency under Section 7 (1) of the <i>Freedom of Information Act 1982</i> .	N/A	N/A
Commonwealth Director of Public Prosecutions	7	4	3
CrimTrac	8	6	1
High Court of Australia	1	Nil	Nil
Insolvency and Trustee Service Australia	19	14	2
Office of Parliamentary Counsel	0	N/A	N/A