



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2019-088

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	34
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [REDACTED]  
**To:** [CMTEDD.FOI](#)  
**Cc:** [REDACTED]  
**Subject:** This information is requested under the freedom of Information ACT  
**Date:** Wednesday, 10 April 2019 12:54:33 PM

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Good afternoon,

I am seeking information under the FOI

Specifically emails in relation to [REDACTED] and /or Mantra Training and Development between ASQA staff and Skills Canberra Staff between 01/01/2019 – 10/04/2019

Emails and correspondence from Skills Canberra to AFS that only relate to [REDACTED] and /or Mantra Training & Development

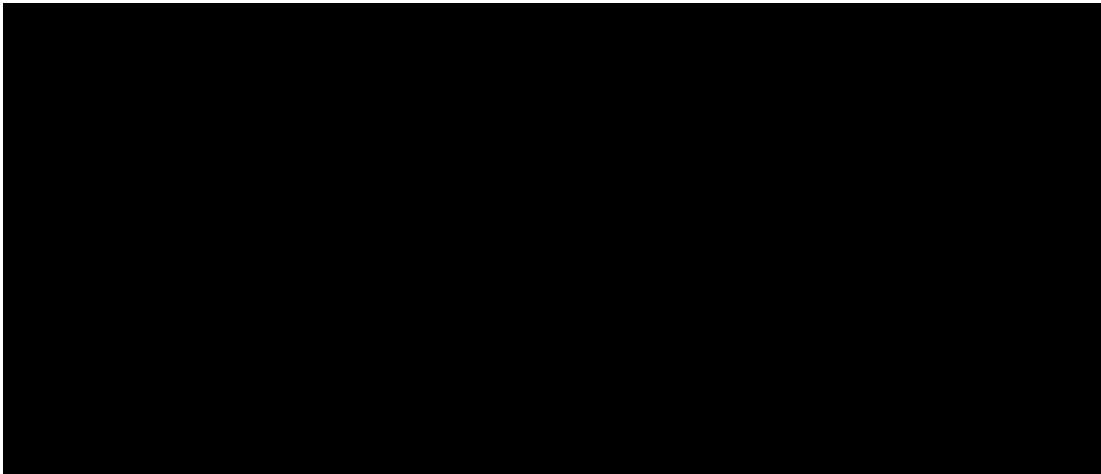
Specifically Case notes in relation to Jodie Kafer calling Australian Forensic Services on 01/03/2019 about Mantra Training & Development and [REDACTED]

All documentation relating to a Complaint made to Pam Elton by Dion Klein (The Wise Academy) between 10/10/2018 and 10/04/2019 and any case notes related to this that specifically involve Mantra Training & Development or [REDACTED]

Records that Skills Canberra have in relation to alleged Sanctions against Mantra Training & Development RTO ID: 88167

If I have requested anything that I am not entitled to under the FOI ACT please provide details as to why and how this is not attainable under the FOI ACT.

Kind Regards,





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2019-088



via email: [REDACTED]

Dear [REDACTED]

### **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 10 April 2019.

Specifically, you sought:

- Emails in relation to [REDACTED] and/or Mantra Training and Development between ASQA staff and Skills Canberra Staff between 01/01/2019 – 10/04/2019.
- Emails and correspondence from Skills Canberra to AFS that only relate to [REDACTED] and/or Mantra Training & Development.
- Case notes in relation to Jodie Kafer calling Australian Forensic Services on 01/03/2019 about Mantra Training & Development and [REDACTED]
- All documentation relating to a Complaint made to Pam Elton by Dion Klein (The Wise Academy) between 10/10/2018 and 10/04/2019 and any case notes related to this that specifically involve Mantra Training & Development or [REDACTED]
- Records that Skills Canberra have in relation to alleged Sanctions against Mantra Training & Development RTO ID: 88167.

### **Authority**

I am an Information Officer appointed by the Director-General of CMTEDD under section 18 of the Act to deal with access applications made under Part 5 of the Act.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 4 June 2019.

### **Decision on access**

Searches were completed for relevant documents and 86 documents were identified that fall within the scope of your request. I have decided to release 78 documents in full, partially release seven documents and withhold one document. No documents were found in relation to the second and third points of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

### **Third party consultation**

In determining this access request, I identified that some of the information may reasonably be expected to be of concern of a third party. In accordance with section 38 of the Act, I have undertaken third party consultation. I have considered the contentions raised by the third party in making this decision.

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

### **Material considered**

In reaching my access decision, I have taken the following into account:

- the Act, particularly schedule 1;
- the content of the documents that fall within the scope of your request; and
- the views of the identified third parties.

### **Exemption claimed**

Documents at references 20, 64, 72-73, 78-80 and 82 of the identified documents are entirely composed of, or contain, information that is considered to be contrary to the public interest under schedule 1 of the Act.

#### Section 1.2 Information subject to Legal Professional Privilege

The above documents contain requests for legal advice and legal advice provided by the ACT Government Solicitor Office. I consider the advice is subject to legal professional privilege as it was brought into existence for the dominant purpose of providing a legal opinion. I am satisfied that the communications were made in circumstances of confidentiality and were provided by an independent legal adviser satisfying the requirements to attract legal professional privilege. Accordingly, I am satisfied this information is contrary to the public interest pursuant to schedule 1 1.2 of the Act.

### **Access to documents**

Pursuant to section 38(6) of the Act, I am required to defer access to document references 14 and 18 as an affected third party has objected to their disclosure. This third party may apply for review of my release decision within 20 working days after my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman. I will write to you to advise when access to these two documents is no longer deferred.

## **Charges**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in this instance in accordance with section 107(2)(b) of the Act.

## **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log three days after the date of my decision. Your personal contact details will not be published. You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi/disclosure-log>.

## **Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman

GPO Box 442

CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

## **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal

Level 4, 1 Moore St

GPO Box 370

Canberra City ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 02 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Riley', with a stylized flourish at the end.

Daniel Riley  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate

3 June 2019



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
	<p>Emails in relation to ██████████ and /or Mantra Training and Development between ASQA staff and Skills Canberra Staff between 01/01/2019 – 10/04/2019</p> <p>Emails and correspondence from Skills Canberra to AFS that <u>only</u> relate to ██████████ and /or Mantra Training &amp; Development</p> <p>Case notes in relation to Jodie Kafer calling Australian Forensic Services on 01/03/2019 about Mantra Training &amp; Development and ██████████</p> <p>All documentation relating to a Complaint made to Pam Elton by Dion Klein (The Wise Academy) between 10/10/2018 and 10/04/2019 and any case notes related to this that specifically involve Mantra Training &amp; Development or ██████████</p> <p>Records that Skills Canberra have in relation to alleged Sanctions against Mantra Training &amp; Development RTO ID: 88167</p>	CMTEDDFOI 2019-088

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
	Point 1					
1	1	Email	17-Jan-2019	Full release	N/A	Yes
2	2-24	Attachment to email – AAT Decision	23-Jan-2019	Full release	N/A	Yes
3	25-26	Email chain	18-Jan-2019	Full release	N/A	Yes
4	27	Email	24-Jan-2019	Full release	N/A	Yes
5	28-29	Email chain	25-Jan-2019	Full release	Out of scope information removed	Yes
6	30	Email	30-Jan-2019	Full release	N/A	Yes
7	31	Email	30-Jan-2019	Full release	N/A	Yes

8	32-33	Attachment to email	Undated	Full release	N/A	Yes
9	34-36	Email chain	1-Feb-2019	Full release	N/A	Yes
10	37	Email	12-Feb-2019	Full release	N/A	Yes
11	38	Attachment to email	Undated	Full release	N/A	Yes
12	39	Email chain	14-Feb-2019	Full release	N/A	Yes
13	40-44	Email chain	14-Feb-2019	Full release	Out of scope information removed	Yes
14	45-47	Attachment to email chain	Undated	Deferred	Out of scope information removed Withheld pending third party review period	Yes
15	48-50	Email chain	9-Jan-2019	Full release	N/A	Yes
16	51-54	Email chain	9-Jan-2019	Full release	N/A	Yes
17	55-57	Email chain	9-Jan-2019	Full release	N/A	Yes
18	58-60	Email chain	19-Feb-2019	Deferred	Withheld pending third party review period	Yes
19	61-63	Attachment to email chain	Undated	Full release	Out of scope information removed	Yes
		Point 4				
20	65-66	Email chain	1-Feb-2019	Exempt	Schedule 1 1.2 Legal professional privilege	No
21	67-69	Email chain	13-Nov-2018	Full release	N/A	Yes
22	70-71	Attachment to email	Undated	Full release	N/A	Yes
23	72-73	Attachment to email	Undated	Full release	N/A	Yes
24	74-75	Email chain	14-Nov-2018	Full release	N/A	Yes
25	76	Draft email	14-Nov-2018	Full release	N/A	Yes



26	78-79	Email chain	14-Nov-2018	Full release	N/A	Yes
27	79	IM Chat	22-Nov-2018	Full release	Out of scope information removed	Yes
28	80	Email chain	22-Nov-2018	Full release	N/A	Yes
29	81	Email	23-Nov-2018	Full release	N/A	Yes
30	82-119	Attachments to email	Various	Full release	N/A	Yes
31	120-122	Email chain	29-Nov-2018	Full release	N/A	Yes
32	123-151	Attachments to email	Various	Full release	N/A	Yes
33	152-154	Email chain	30-Nov-2018	Full release	N/A	Yes
34	155-159	Email chain	30-Nov-2018	Full release	N/A	Yes
35	160-163	Draft email	30-Nov-2018	Full release	N/A	Yes
36	164-165	Email chain	7-Dec-2018	Full release	N/A	Yes
37	166-167	Email chain	14-Dec-2018	Full release	N/A	Yes
38	168-169	Email chain	17-Dec-2018	Full release	N/A	Yes
39	170	Email	18-Dec-2018	Full release	N/A	Yes
40	171-172	Attachment to email	Undated	Full release	N/A	Yes
41	173-174	Email chain	14-Nov-2018	Full release	N/A	Yes
42	175-176	Email chain	17-Jan-2019	Full release	N/A	Yes
43	177	Email	24-Jan-2019	Full release	N/A	Yes
44	178-182	Attachments to email	Various	Full release	N/A	Yes
45	183-185	Email chain	17-Dec-2018	Full release	N/A	Yes

46	186	Email	15-Nov-2018	Full release	N/A	Yes
47	187-190	Attachment to email	15-Nov-2018	Full release	N/A	Yes
48	191-192	Email chain	24-Jan-2019	Full release	N/A	Yes
49	193	Email	25-Jan-2019	Full release	N/A	Yes
50	194-204	Attachment to email	25-Jan-2019	Full release	N/A	Yes
51	205	Email	29-Jan-2019	Full release	N/A	Yes
52	206-210	Attachment to email	Undated	Full release	N/A	Yes
53	211-213	Email chain	30-Jan-2019	Full release	N/A	Yes
54	214	IM chat	1-Feb-2019	Full release	N/A	Yes
55	215-217	Email chain	1-Feb-2019	Full release	N/A	Yes
56	218	Email	12-Feb-2019	Full release	N/A	Yes
57	219-220	Email chain	12-Feb-2019	Full release	N/A	Yes
58	221-222	Email chain	13-Feb-2019	Full release	N/A	Yes
59	223	Email	13-Feb-2019	Full release	N/A	Yes
60	224	Attachment to email	Undated	Full release	N/A	Yes
61	225-234	Brief and attachments	17-Dec-2018	Full release	N/A	Yes
62	235-251	Brief and attachments	15-Mar-2019	Full release	N/A	Yes
63	252	Email	21-Jan-2019	Full release	N/A	Yes
64	253-289	Attachments to email	Various	Partially exempt	Schedule 1 1.2 Legal professional privilege	Yes
65	290-291	Email	16-Nov-2018	Full release	N/A	Yes

66	292-293	Email chain	16-Nov-2018	Full release	N/A	Yes
67	294-314	Attachments to email	Various	Full release	N/A	Yes
68	316	Email	28-Nov-2018	Full release	N/A	Yes
69	317-319	Attachment to email	Undated	Full release	N/A	Yes
70	320	Email chain	30-Nov-2019	Full release	N/A	Yes
71	321-324	Attachment to email	Undated	Full release	N/A	Yes
72	325-327	Email chain	29-Jan-2019	Partially exempt	Schedule 1 1.2 Legal professional privilege	Yes
73	328-330	Email chain	Various	Partially exempt	Schedule 1 1.2 Legal professional privilege	Yes
74	331-346	Attachment to email	25-Jan-2019	Full release	N/A	Yes
75	347	Email chain	31-Jan-2019	Full release	N/A	Yes
76	348	Email	11-Feb-2019	Full release	N/A	Yes
77	349	Attachment to email	Undated	Full release	N/A	Yes
78	350	Email	20-Jan-2019	Partially exempt	Schedule 1 1.2 Legal professional privilege	Yes
79	351-386	Attachments to email	Various	Partially exempt	Schedule 1 1.2 Legal professional privilege	Yes
80	387-389	Email chain	31-Jan-2019	Partially exempt	Schedule 1 1.2 Legal professional privilege	Yes
81	390-392	Attachment to email	25-Jan-2019	Full release	N/A	Yes
82	393-396	Email Chain	1-Feb-2019	Partially exempt	Schedule 1 1.2 Legal professional privilege	Yes
		Point 5				
83	398-399	Email chain	29-Jan-2019	Full release	Out of scope information removed	Yes
84	400	Email	5-Feb-2019	Full release	N/A	Yes

85	401	Email chain	20-Feb-2019	Full release	N/A	Yes
86	402-403	Attachment to email	Undated	Full release	N/A	Yes
<b>Total No of Docs</b>						
86						