



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD 14/14-15

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26 NOV 2014

Request for documents

I refer to your email received 31 October 2014 addressed to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) in which you seek access under the *Freedom of Information Act 1989* (the Act) to the following:

'... All documents to and from any officer of the ACT Government after the 1 September 2014 related to the Williamsdale Airfield Public Interest Disclosure decision dated the 20 October 2014, including any request for legal advice, and brief of information to inform that legal advice and any legal advice so provided.

All correspondence related to this issue or the Williamsdale airfield issue more broadly that may have involved Mr David Dawes and Ms Joseph.'

Decision Maker

I am authorised under section 22 of the Act to make decisions on access to documents, and liability for charges, for the Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

Charges

I have decided, under section 29, of the Act not to impose processing charges for this request.

Identification of Documents

Officers of the Directorate have conducted searches of paper and electronic files for documents located in CMTEDD created after 1 September 2014 that are relevant to the scope of your request.

A number of documents in the form of correspondence to and from the Government Solicitors Office (GSO) have been located. In particular an email has been identified that was sent at the request of Ms Joseph seeking formal advice from GSO.

No other correspondence involving Mr David Dawes or Ms Joseph dating from 1 September 2014 that is related to the PID issue or the Williamsdale airfield has been identified.

Decision on Access

I have decided not to release to you any of the identified documents.

Exemptions claimed

I have decided to exempt from release all the identified documents on the grounds that they are protected by legal professional privilege and their disclosure would diminish our capacity to undertake full and frank discussion with our lawyers.

Legal Professional Privilege

Section 42 of the Act provides

42 Documents subject to legal professional privilege

- (1) *A document is an exempt document if it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.*

Your right of review

Internal Review

Under section 59 (1) of the Act, you may request a review of my decision. You have 28 days after receiving notice of my decision to ask for a review, or a further period as allowed by the Director-General.

Your request should be addressed to:

Director-General
Chief Minister, Treasury, and Economic Development Directorate
GPO Box 158
CANBERRA ACT 2601

Complaints to the Ombudsman

Under section 54 of the Act, you may complain to the Ombudsman about administrative matters relating to the processing of your FOI request. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation into your complaint.

You can contact the Ombudsman either by telephone on 1300 362 072 or in writing to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Online FOI Policy

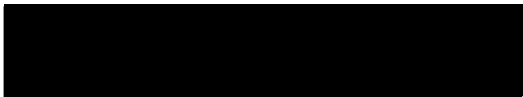
Any documents that are provided to you as a result of your request may be made public on the ACT Government Open Government Website.

A copy of the policy, with details about what information may be published on the Internet, is available online at:

[http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI Web Release Policy - Final.pdf](http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI_Web_Release_Policy_-_Final.pdf)

Should you have any queries regarding this matter, please contact me on (02) 6205 5147.

Yours sincerely



Bronwen Overton-Clarke
A/g Deputy Director-General
Workforce Capability and Governance Division

25 November 2014