



Sam Mostyn

Via email: foi+request-11704-18113a40@righttoknow.org.au

Dear Sam Mostyn

Decision on your Freedom of Information request

I refer to your request, dated 17 July 2024 and received by the Department of Agriculture, Fisheries and Forestry (**department**) on 17 July 2024 for access under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) to the following documents:

'I am requesting the documentation that the DAFF has to demonstrate that the Rabies lyssavirus exists; transmits from one dog to another dog or human; and causes the symptoms of the Rabies disease.

The conditions of my request include:

- The documentation must show, via photographic evidence or by other means deemed valid, the Rabies lyssavirus isolated from all other materials.
- The isolated Rabies lyssavirus exposed to organic living organisms (humans, dogs, or cell cultures) that was previously uninfected by the Rabies lyssavirus.
- The infected organic living organisms express symptoms of the Rabies disease.

If these conditions cannot be met, I am requesting any documentation that the DAFF has that demonstrates the existence, transmissibility, and pathogenicity of the Rabies lyssavirus exists.'

My decision

I have decided to refuse your request for access to documents under section 24A of the FOI Act on the basis that all reasonable steps have been taken to locate the documents you have requested and I am satisfied that they cannot be located or do not exist.

Please see **Attachment A** for the reasons for my decision.

You can ask for a review of my decision

If you wish to seek an internal review, you must apply to the department within **30 days** after the day you are notified of this decision. An application for internal review must be made in writing by post to the FOI Officer or email to foi@aff.gov.au.

Alternatively, you may apply directly to the Office of the Australian Information Commissioner (**OAIC**) to review my decision. An application for review by the Information Commissioner must

be made in writing within **60 days** after the day you are notified of this decision. You may apply for an OAIIC review through the following [link](#). You can also make a [complaint](#) to the Information Commissioner if you have concerns about how the department handled your request.

You can find information about requesting a review, making a complaint, and other information about FOI on the OAIIC website www.oaic.gov.au or phone the OAIIC on 1300 363 992.

Further assistance

If you have any questions, please email foi@aff.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C Starkey', written in a cursive style.

Christopher Starkey
A/g Assistant Secretary
Animal Biosecurity Branch
07 August 2024

REASONS FOR DECISION

What you have requested

I am requesting the documentation that the DAFF has to demonstrate that the Rabies lyssavirus exists; transmits from one dog to another dog or human; and causes the symptoms of the Rabies disease.

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What I took into account

In reaching my decision, I took into account:

- your original request dated 17 July 2024;
- other correspondence with you on 24 July 2024 and 29 July 2024;
- information about:
 - the department's operating environment and functions;
- guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (**Guidelines**); and
- the FOI Act.

Reasons for my decision

I am authorised to make decisions under section 23(1) of the FOI Act.

Section 24A of the FOI Act

Section 24A of the FOI Act provides that:

- (1) 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.

The Department's Animal Biosecurity Branch conducted searches of the department's publications and resources and provided you with information and links to relevant publications on 24 July 2024. On 29 July 2024 you asked for the FOI request to continue, noting that you were seeking the scientific documentation that is the foundation of the Department's rabies risk management. The Department's Animal Biosecurity Branch did not identify any further documents matching the description in your request. I undertook further consultations with this Branch and was informed that the information you were seeking was in the public domain and that the Department's work does not generally involve revisiting early research proving the existence of the rabies virus. The department's focus is on issues pertinent to effective and efficient rabies risk management. In January 2023 the department published a "Review of rabies virus risk in imported dogs, cats and canine semen from approved countries." This includes a comprehensive reference list of research relevant to the issue. The publication is available here: [Review of rabies virus risk in imported dogs, cats and canine semen from approved countries final report \(agriculture.gov.au\)](https://www.agriculture.gov.au/~/media/AgBiosecurity/2023/01/Review-of-rabies-virus-risk-in-imported-dogs-cats-and-canine-semen-from-approved-countries-final-report).

On the basis of these searches, I am satisfied, in accordance with section 24A of the FOI Act, that all reasonable steps have been taken to find the documents and the documents cannot be located or do not exist.