



## DEFENCE FOI 370/24/25

### STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT 1982

1. I refer to the request by Fred (the applicant), dated and received on 14 November 2024 by the Department of Defence (Defence), for access to the following documents under the *Freedom of Information Act 1982* (Cth) (FOI Act):

*I am seeking information with regards to the Australian Defence Force (ADF) Joint Personnel Recovery Unit. The ADF Joint Personnel Recovery Unit, has had two embroidered patches created by Lukus.com.au, and can be found via here - [https://www.lukus.com.au/contents/en-us/d18\\_raft-support.html](https://www.lukus.com.au/contents/en-us/d18_raft-support.html)*

*Under the Defence FOI Act, I am seeking a brief overview and general information documentation about the ADF Joint Personnel Recovery Unit, such as where it is located, what is its mission and primary role, and where it fits within the ADF Chain of Command and Control.*

#### FOI decision maker

2. I am the authorised officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

#### Documents identified

3. I have identified no documents falling within the scope of the request.

#### Decision

4. I have decided to refuse the request under section 24A [requests may be refused if documents cannot be found, do not exist or have not been received] of the FOI Act.

#### Material taken into account

5. In making my decision, I have had regard to:
  - a. the terms of the request;
  - b. relevant provisions of the FOI Act;
  - c. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines); and
  - d. consultations with relevant elements within Defence.

#### REASONS FOR DECISION

##### Section 24A – Requests may be refused if documents cannot be found, do not exist or have not been received

6. Section 24A(1) of the FOI Act states:
  - (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.*

7. Paragraph 3.94 of the Guidelines advises the detail this statement of reasons should include to refuse a request under section 24A(1):  
  
*...the statement of reasons given to the applicant should sufficiently identify the document, explain why it cannot be found or is known not to exist or to be in the agency's possession, describe the steps the agency took to search for the document, and note the limitations of any search...*
8. Personnel from the Royal Australian Air Force and Headquarters Joint Operations Command (HQJOC) conducted searches. Searches were conducted in the Defence electronic document record management system "Objective" and other specialised databases (all of which can include filed email correspondence and documents), for documents related to the scope of the request.
9. The key words used in the document searches were "Joint Personnel Recovery Unit", "Joint Recovery", "Joint Recovery Unit" and "Personnel Recovery Unit" for the date range specified. No documents matching the request were identified.
10. Having found no documents through key words searches I considered whether Defence should hold documents that match the request, to enable further manual searches.
11. Consultation was then undertaken with personnel from the Defence Air Operations Centre, Combat Survival Training School and HQJOC Personnel Branch to determine the existence of documents requested. No documents were identified and information at point 13 below was provided.
12. I am satisfied that all reasonable steps have been taken to locate the documents sought by the applicant. I am satisfied that the documents in the scope of the requests do not exist, and refuse the request under section 24A(1) of the FOI Act.

#### **FURTHER INFORMATION**

13. There is no standalone Joint Personnel Recovery Unit within Defence. Joint Personnel Recovery operations are collective military, civil and diplomatic efforts to rescue, release or recover personnel from permissive, uncertain or hostile environments whether they are captured, missing or isolated.

**Colonel Christopher Austin, ADC**  
Accredited Decision Maker  
Department of Defence