



**Australian Government**

**Department of the Prime Minister and Cabinet**

ONE NATIONAL CIRCUIT  
BARTON

FOI

FOI/2021/043

***FREEDOM OF INFORMATION ACT 1982***

**REQUEST BY: Mr Francis Unmeopa**

**DECISION BY: Mr Peter Rush  
Assistant Secretary  
Parliamentary and Government Branch**

By email: [foi+request-7164-f9252e2e@righttoknow.org.au](mailto:foi+request-7164-f9252e2e@righttoknow.org.au)

Dear Mr Unmeopa

I refer to your email of 19 March 2021 in which you made a request (the **FOI request**) under the *Freedom of Information Act 1982* (the **FOI Act**) to the Department of the Prime Minister and Cabinet (the **Department**) in the following terms:

*On the 12/03/21 the following document ( FOI/2020/1721C) was released under FOI.*

*Contained within that release is a letter titled Humanitarian Overseas Service Medal (HOSM) between Mr Ric Wells DFAT and Mr Paul O'Neill PM & C (FOI/2020/1721C Document 2).*

*Mr O'Neill states the following in paragraph 2...*

*'It is this Departments view that the conditions in Iraq following the US lead Coalitions Forces met the conditions for the award of the medal. In addition to other eligible groups it is proposed to recommend that the Medal be awarded to a group of Australian personnel attached to the Coalition Provisional Authority. These nominations have been the subject of discussions between (s22) of this department and Ms Louise Hand of your Department'.*

*Regarding the final sentence of the paragraph, I respectfully request copies of the correspondence and or record of conversations stated above between Department of Prime Minister & Cabinet and Ms Louise Hand, Chief of Protocol ,DFAT.*

## **Authorised decision-maker**

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the FOI Act.

## **Decision**

I have decided to refuse the FOI request under section 24A(1)(b)(ii) of the FOI Act.

In making my decision, I have had regard to the following:

- the terms of your request;
- searches undertaken by the Department regarding your request;
- the FOI Act; and
- the 'Guidelines made by the Australian Information Commissioner issued under section 93A of the *Freedom of Information Act 1982*' (the **FOI Guidelines**).

## **Reasons**

Section 24A(1) of the FOI Act provides that:

*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.*

Having regard to the terms of your request, relevant searches were undertaken in the Department. As a result of these searches, no documents relevant your request were found.

I am satisfied that all reasonable steps have been taken to find documents relevant to your request, and that no documents relevant to your request exist in the Department.

I have therefore decided to refuse your request under section 24A(1)(b)(ii) of the FOI Act.

## **Processing and access charges**

I have decided not to impose charges in respect of the FOI request.

## **Review rights**

Information about your rights of review under the FOI Act is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

## Complaint rights

You may make a complaint to the Information Commissioner about the Department's actions in relation to a request. Making a complaint about the way the Department has handled an FOI request is a separate process to seeking review of the Department's decision. Further information about how to make a complaint is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>.

Yours sincerely

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

Peter Rush  
Assistant Secretary  
Parliamentary and Government Branch

14 April 2021