



BP28445177

DEFENCE FOI 182/22/23 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by [REDACTED] (the applicant) under the *Freedom of Information Act 1982* (FOI Act) for access to:

“1. A copy of the Joint Vision Statement made and entered into by and between the Royal Australian Air Force and the US Air Force,

2. All meeting schedules, meeting agendas and talking points that pertain to Chief of Air Force Air Marshal Robert Chipman’s meeting with US Air Force General Charles Q. Brown, Jr. in Washington, DC”

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 identified one document as matching the description of the request.

Decision

4. I have decided to:
- a. release one document in full (item 1);
 - b. refuse access to item 2 of 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 had regard to:
- a. the terms of the request;
 - b. the content of the identified document in issue;
 - c. relevant provisions in the FOI Act;
 - d. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines); and
 - e. consultation with a foreign government.

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:

Documents lost or non-existent

- (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*
 - (b) *the agency or Minister is satisfied that the document*
 - (i) *is in the agency's or Minister's possession but cannot be found*
 - (ii) *does not exist.*

7. The Guidelines at paragraph 3.94 provide that:

...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. To ensure “all reasonable steps” were taken to find information relating to documents listed at item 2 of this request, the Air Force Head Quarters and the Office of the Chief of the Air Force Registry undertook electronic searches of the Defence records management system, Objective. The below search criteria, or a combination of, was used to search for these documents but no documents were located:

- a. Find documents / name / contains / RAAF and USAF
- b. Find documents / name / contains / GEN Brown
- c. Find documents / name / contains / General Charles Q. Brown
- d. Find document / name / contains / meeting agenda GEN Brown
- e. Find document / name / contains / talking points GEN Brown

9. Based on the above actions, I am satisfied that “all reasonable steps” have been taken to locate the requested documents relevant to item 2 of the request, and that the documents cannot be found or do not exist. Accordingly, under section 24A(1) of the FOI Act item 2 of the request is refused.

andrew.

Digitally signed by
andrew

Date: 2022.12.16 14:12:05 +10'30'

A. 
Group Captain
Accredited Decision Maker
Royal Australian Air Force