

From: [FOI](#)
To: [s22\(1\)\(a\)\(ii\)](#)
Cc: [FOI](#)
Subject: New FOI request (ref: FOI/OMIA/2018/002) - Michael Dillion- Misdirection of funds for remote Indigenous housing program [SEC=UNCLASSIFIED]
Date: Tuesday, 20 March 2018 1:35:00 PM
Attachments: [SKMCAEPR18031610370.pdf](#)

UNCLASSIFIED

Dear [s22\(1\)\(a\)\(ii\)](#) and [s22\(1\)\(a\)\(ii\)](#)

The Department has received an FOI request for Senator the Hon. Nigel Scullion in his capacity as the Minister for Indigenous Affairs. The terms of the request are below –

Copies of any documents (including file notes, correspondence and emails) held by the Minister or his Office related to alleged misuse or misdirection of remote housing program funds over the past three years by any of the four jurisdictions involved in the remote Indigenous housing program.

A copy of the request is **attached** for your records.

The Department's role

As the Department provides administrative support to the Minister for Indigenous Affairs, this administrative support extends to the processing of FOI requests received by the Minister in this capacity. The Department will prepare correspondence and monitor timeframes based on instructions received from Senator Scullion (or his authorised agent).

In relation to this particular FOI request, we will need confirmation/advice in relation to the following:

- * whether the request's terms provide sufficient detail to enable all relevant documents to be identified
- * whether other areas of the Department or portfolio ministers' offices would be likely to hold relevant documents not already in your office's possession
- * whether consultation is likely to be required with other agencies, other governments, businesses or individuals
- * whether a transfer of the request in full or in part to another agency or agencies might be appropriate
- * whether the anticipated volume of potentially relevant documents might be such that processing the request might be an unreasonable diversion of resources
- * whether you consider charges for processing the request should be levied
- * what searches for documents should be conducted
- * who is to be the main contact officer for managing the request.

Providing us with the above information will enable the Department to provide advice on possible ways forward with processing this FOI request.

Timeframes

A decision on access to the documents sought is due to be finalised by Sunday, 15 April 2018 or the next available business day, Monday 16 April 2018.

If you have any queries, please do not hesitate to contact me.

Kind regards,

s22(1)(a)(ii)

s22(1)(a)(ii) | FOI Administration Officer/Adviser
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The Department acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

M C Dillon

Email:

16 March 2018

The FOI Coordinator

Department of Prime Minister and Cabinet

PO Box 6500

Canberra ACT 2600

Email: foi@pmc.gov.au

Dear Sir/Madam

FOI request to Minister Scullion relating to misuse or misdirection of remote housing expenditures

I understand that you are the contact point for Freedom of Information requests to Ministers in the PMC portfolio.

To provide some context for my request, I note that in the Senate Estimates hearing of 2 March 2018 on Cross Portfolio Indigenous matters, at page 50 of the transcript, there was an exchange between Senator Ketter and Senator Scullion regarding the alleged withdrawal of funding by state governments in relation to remote Indigenous housing programs. Senator Scullion stated, inter alia: 'Not only have they withdrawn their own funding, but they haven't provided any of the funding that was specifically provided by the Commonwealth ...'

My request is for the following documents which relate to the remote housing program administered by the Minister's portfolio:

Copies of any documents (including file notes, correspondence and emails) held by the Minister or his Office related to alleged misuse or misdirection of remote housing program funds over the past three years by any of the four jurisdictions involved in the remote Indigenous housing program.

Thank you for your attention to this matter.

Yours sincerely

M C Dillon

From: [FOI](#)
To: [s22\(1\)\(a\)\(ii\)](#) ; [s22\(1\)\(a\)\(ii\)](#)
Cc: [FOI](#)
Subject: FW: PM&C FOI request (FOI/OMIA/2018/002) - [SEC=UNCLASSIFIED]
Date: Tuesday, 22 May 2018 11:15:00 AM

UNCLASSIFIED

Dear [s22\(1\)\(a\)\(ii\)](#)

The applicant has emailed seeking an update for this request- FOI/OMIA/2018/002- please see below.

Can you please provide advice as to how you would like us to respond, noting this request is now overdue and also his mention that he will shortly be approaching the Information Commissioner.

Please let me know if you would like to discuss.

Regards

[s22\(1\)\(a\)\(ii\)](#)

[s22\(1\)\(a\)\(ii\)](#) | FOI Administration Officer/Adviser
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From: michael dillon [\[redacted\]](#)
Sent: Monday, 21 May 2018 4:00 PM
To: FOI
Subject: Re: PM&C FOI request (FOI/OMIA/2018/002) - Acknowledgement [SEC=UNCLASSIFIED]

Good afternoon [s22\(1\)\(a\)\(ii\)](#)

I refer to your email below. Given the delay on this matter extending well beyond 60 days, I will shortly lodge a complaint with the Office of the Australian Information Commissioner

Can you advise if there is a problem I should be aware of before I take this step. I would appreciate your advice by 4.00 pm tomorrow

many thanks

Michael Dillon.

On Tuesday, 20 March 2018, 2:26:28 pm AEDT, FOI <FOI@pmc.gov.au> wrote:

UNCLASSIFIED

Dear Mr Dillon

Thank you for your email dated 16 March 2018, received by the Department of the Prime Minister and Cabinet (the Department), in which you made a request to the Department under the Freedom of Information Act 1982 (the FOI Act) in the following terms:

My request is for the following documents which relate to the remote housing program administered by the Minister's portfolio:

Copies of any documents (including file notes, correspondence and emails) held by the Minister or his Office related to alleged misuse or misdirection of remote housing program funds over the past three years by any of the four jurisdictions involved in the remote Indigenous housing program.

On 16 March 2018 you clarified your request by email, that you would like this request to be processed by the Office of the Minister for Indigenous Affairs.

Handling of request

The Department of the Prime Minister and Cabinet (the Department) provides administrative support to the Minister for Indigenous Affairs in relation to Freedom of Information (FOI) requests made to him. I am writing to advise you of further information on the processing of your request to the Minister for Indigenous Affairs, set out below.

Timeframe for receiving your decision

We received your request dated 16 March 2018 and the 30 day statutory period for processing your request commenced from the day after that date. You should therefore expect a decision from us by 15 April 2018.

In accordance with FOI Guideline 3.141 (Section 36 of the Acts Interpretation Act, 1901) issued by the Australian Information Commissioner, if the last day for notifying a decision falls on a Saturday, Sunday or public holiday, the timeframe will expire on the first day following that day. As such, the due date for you to receive a response is Monday, 16 April 2018. The period of 30 days may be extended in certain circumstances. We will advise you if there is any extension of time.

Charges

Agencies and Ministers may decide that an applicant is liable to pay a charge in respect of a request for access to documents. If the decision-maker in the Office of the Minister for Indigenous Affairs (OMIA) decides that you are liable to pay a charge, we will send you a preliminary assessment of the charge as soon as possible.

Publication of documents

Please note that information released under the FOI Act may later be published online on our disclosure log at

<http://www.dpmc.gov.au/pmc/accountability-and-reporting/freedom-information/foi-disclosure-logs/foi-disclosure-log>, subject to certain exceptions. If you think you might wish to raise any objections to the publication of any of the information which may be released to you please contact us by email at foi@dpmc.gov.au. If you do wish to object to the publication of information, you would need to provide supporting reasons.

Exclusion of officers' names and contact details

For documents that fall within scope of the request, it is the Department's policy to withhold:

- any person's signature;
- the names and contact details of Australian Public Service officers not in the Senior Executive Service (SES);
- the mobile or direct numbers of SES officers;
- the names and contact details of Ministerial staff at a level below Chief of Staff.

The names and other details of SES officers will not be withheld unless there is some reason for that information to be exempt from release. If you require signatures, the names and contact details of non-SES officers or Ministerial staff below the level of Chief of Staff, or the mobile or direct numbers of SES officers please let us know at foi@dpmc.gov.au so the decision-maker may consider; otherwise we will take it that you agree to that information being excluded from the scope of your request (that is, the information will be treated as irrelevant and redacted from any documents for release).

We will write again when the Department has more information. Further information on FOI processing can be found at the website of the Office of the Australian Information Commissioner at http://www.oaic.gov.au/foi-portal/about_foi.html.

Regards

s22(1)(a)(ii) | FOI Adviser

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