



Decision and Reasons for Decision

Citation: *C79 and Legal Aid Queensland* [2020] QICmr 20 (7 April 2020)

Application Number: 314484

Applicant: C79

Respondent: Legal Aid Queensland

Decision Date: 7 April 2020

Catchwords: ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - DOCUMENT NONEXISTENT - documents relating to an email sent by the applicant regarding a complaint - whether agency has taken all reasonable steps to locate documents sought - whether access may be refused on the basis that the documents sought are nonexistent - sections 47(3)(e) and 52(1)(a) of the *Right to Information Act 2009* (Qld)

ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - EXEMPT INFORMATION - LEGAL PROFESSIONAL PRIVILEGE - documents relating to an email sent by the applicant regarding a complaint - documents collated for the purpose of providing to Crown Law - whether improper purpose exception applies - whether documents are exempt on the basis that they are subject to legal professional privilege - sections 47(3)(a) and 48 and schedule 3, section 7 of the *Right to Information Act 2009* (Qld)

REASONS FOR DECISION

Summary

1. The applicant applied¹ to Legal Aid Queensland (**LAQ**) under the *Right to Information Act 2009* (Qld) (**RTI Act**) for access to various documents relating to the following subject matters:
 - 1) a workplace health and safety incident form lodged by the applicant on 1 or 2 August 2018
 - 2) an email sent by the applicant on 8 May 2018 regarding a complaint
 - 3) training provided to specified staff in January 2017
 - 4) a meeting on or around 1 or 2 December 2016; and
 - 5) a complaint lodged by the applicant on or around 7 October 2018.
2. LAQ located 436 pages and decided² to release 306 pages and parts of 17 pages, refusing access to the remaining information on the grounds that it was either exempt from disclosure on the basis it was subject to legal professional privilege or disclosure would, on balance, be contrary to the public interest.
3. The applicant applied³ to the Office of the Information Commissioner (**OIC**) for external review of LAQ's decision refusing access to 22 pages on the basis that disclosure would be contrary to the public interest, comprising interview summary statements of witness interviews (**Interview Summary Statements**), and raised concerns that further documents should exist responding to subject matters 2), 3) and 4).
4. During the external review, a preliminary view was conveyed⁴ to the applicant that:
 - access to further documents sought in response to subject matters 2), 3) and 4) of the access application may be refused on the basis that they are nonexistent or unlocatable; and
 - access to the Interview Summary Statements may be refused on the ground that disclosure would, on balance, be contrary to the public interest.
5. The applicant accepted that access to the Interview Summary Statements could be refused and that all reasonable searches had been conducted for documents responding to subject matters 3) and 4). However, the applicant submitted that further documents responding to subject matter 2) should exist and also raised concerns about LAQ's decision refusing access to information on the basis that the information is subject to legal professional privilege.⁵
6. For the reasons set out below, I vary LAQ's decision by finding that access to:
 - further documents sought in response to the access application can be refused on the ground that they are nonexistent; and
 - 91 pages and parts of 7 pages can be refused on the ground that they are exempt from disclosure on the basis that they are subject to legal professional privilege.

¹ Access application dated 23 November 2018.

² Decision dated 7 February 2019.

³ External review application dated 28 February 2019.

⁴ By letter dated 3 October 2019.

⁵ Information refused on this basis is contained within documents relating to subject matters 1), 2) and 5) of the access application.

Background and evidence considered

7. Significant procedural steps taken during the external review are set out in the Appendix to this decision.
8. The evidence, submissions, legislation and other material considered in reaching this decision are referred to in these reasons (including footnotes and Appendix).
9. In reaching my decision, I have had regard to the *Human Rights Act 2019* (Qld) (**HR Act**),⁶ particularly the right to seek and receive information as embodied in section 21 of the HR Act. I consider that a decision-maker will, when observing and applying the law prescribed in the RTI Act, be '*respecting and acting compatibly with*' this right and others prescribed in the HR Act.⁷ I further consider that, having done so when reaching my decision, I have acted compatibly with and given proper consideration to relevant human rights, as required under section 58(1) of the HR Act. I also note the observations made by Bell J on the interaction between the Victorian equivalents of Queensland's RTI Act and HR Act: '*it is perfectly compatible with the scope of that positive right in the Charter for it to be observed by reference to the scheme of, and principles in, the Freedom of Information Act.*'⁸
10. The applicant provided extensive submissions during the review. I have considered all this material and have extracted those parts which I consider have relevance to the issues to be determined in this external review.

Reviewable decision

11. The decision under review is LAQ's decision dated 7 February 2019.

Information in Issue

12. The information remaining in issue (**Information in Issue**) is contained within 91 pages⁹ and parts of 7 pages.¹⁰

Issue for determination

13. Following the applicant's acceptance of the preliminary view and her submissions regarding legal professional privilege and the existence of further documents as mentioned at paragraph 5 above, the issues remaining for determination are whether LAQ can refuse access to:
 - further documents sought in response to the access application responding to subject matter 2), as set out at paragraph 1 above, on the basis that they are nonexistent;¹¹ and
 - the Information in Issue on the ground that it is exempt from disclosure on the basis the information is subject to legal professional privilege.

⁶ Which came into force on 1 January 2020.

⁷ *XYZ v Victoria Police (General)* [2010] VCAT 255 (16 March 2010) (**XYZ**) at [573]; *Horrocks v Department of Justice (General)* [2012] VCAT 241 (2 March 2012) at [11].

⁸ *XYZ* at [573].

⁹ Comprising pages 26-30, 33-71, 152-160, 168-171, 176-190, 215-221, 336-339, 376-378 and 398-402 of the documents located.

¹⁰ Comprising pages 31, 148, 310, 344, 349, 351 and 374 of the documents located.

¹¹ Sections 47(3)(e) and 52(1)(a) of the RTI Act.

Nonexistent documents

Relevant law

14. Under the RTI Act, an individual has a right to be given access to documents of an agency.¹² However, this right of access is subject to limitations, including the grounds on which access to information may be refused.¹³
15. Access to a document may be refused if the document is nonexistent.¹⁴ A document is nonexistent if there are reasonable grounds to be satisfied the document does not exist.¹⁵
16. To be satisfied that documents are nonexistent, a decision-maker must rely on their particular knowledge and experience and have regard to a number of key factors including:¹⁶
 - the administrative arrangements of government
 - the agency structure
 - the agency's functions and responsibilities (particularly with respect to the legislation for which it has administrative responsibility and the other legal obligations that fall to it)
 - the agency's practices and procedures (including but not exclusive to its information management approach); and
 - other factors reasonably inferred from information supplied by the applicant including:
 - the nature and age of the requested document/s; and
 - the nature of the government activity the request relates to.¹⁷
17. When proper consideration is given to relevant factors, it may be unnecessary for searches to be conducted. However, if an agency or Minister relies on searches to justify a decision that the documents do not exist, all reasonable steps must be taken to locate the requested documents. The key factors identified above are also relevant to a consideration of whether an agency or Minister has taken all reasonable steps before concluding that documents are unlocatable.¹⁸

Findings

18. In relation to subject matter 2), the applicant sought access as follows:

All documents in relation to and resulting from an email that I sent to [Officer A] on 8 May 2018 informing her of a complaint lodged with the ADCQ and attaching a copy of the ADCQ complaint. This resulted in internal enquiries being made by HR staff on 8 and 9 May 2018 and phone and/or email communications between [the HR Officer] (or other HR staff), [Officer B], [Officer A] and others. These internal enquiries would have ceased following a meeting between [Officer A] and myself at approximately 12pm on 9 May 2018 All documents, however described, including but not limited to minutes, file notes, email correspondence, RM8 records in relation to the communications on 8-9 May 2018 between [the HR Officer] (and/or any other HR staff member), [Officer B], [Officer A] and any other staff member in relation to these internal inquiries.

¹² Section 23(1)(a) of the RTI Act.

¹³ The grounds on which an agency may refuse access are set out in section 47(3) of the RTI Act.

¹⁴ Sections 47(3)(e) and 52 of the RTI Act.

¹⁵ Section 52(1)(a) of the RTI Act.

¹⁶ *PDE and The University of Queensland* (Unreported, Queensland Information Commissioner, 9 February 2009) (**PDE**). Although *PDE* concerned the application of section 28A of the now repealed *Freedom of Information Act 1992* (Qld), the requirements of that section are replicated in section 52 of the RTI Act.

¹⁷ *PDE* at [37] - [38].

¹⁸ *Pryor and Logan City Council* (Unreported, Queensland Information Commissioner, 8 July 2010) at [20] - [21].

19. In her application for external review, the applicant submitted:

[She] was granted access to only a few documents that included her own email to [Officer A] giving notice of the ADCQ complaint on 8 May 2018 and [Officer A's] email communication with [the HR Officer], HR Manager, seeking a meeting.

No documents in relation [to] the agency's internal inquiries into the circumstances of the unlawful discrimination complaint were released to [her].

... [she] maintains that the agency conducted internal enquiries between 8 - 10 May 2018 into these circumstances until [she] temporarily withdrew the ADCQ complaint as a result of the victimisation circumstances. [She] maintains that the agency must have information or documents relevant to the unlawful discrimination circumstances. In particular, [the HR Officer]'s email to [her] dated 12 July 2018 advised that the agency had not received notice from the ADCQ of the unlawful discrimination complaint but that in the meantime the agency would prepare a response.

...[she] submits that the agency must have documents or information relevant to the unlawful discrimination complaint in order to be able to prepare a response to the ADCQ and in order to instruct Crown Law about the circumstances of the unlawful discrimination complaint.

20. My understanding of the applicant's submission is that she was concerned that no documents had been located which detailed what information had been collated by the HR Officer between 8 and 10 May 2018.
21. In response to enquiries by OIC, LAQ provided¹⁹ copies of search certifications and records of searches completed by relevant staff members relating to the searches conducted in response to the access application. The records of searches reveal that searches were conducted by the relevant staff members within Microsoft Outlook and Calendar, RM8 and Visual Files. As set out at paragraph 2 above, LAQ located 436 pages as a result of these searches.
22. In addition to providing the search certifications and records of searches, LAQ submitted:²⁰

[The applicant] sought and was given access to the documents of 8 and 9 May 2018. It is my understanding that she has not sought access to the documents dated 14 May, 9, 10 and 11 July 2018.

[The HR Officer] has advised that it is not unusual for her to have preliminary meetings in which there is a general discussion but no records are kept or maintained. [The HR Officer] did not gather documents in relation to the subject of email and meeting of the 8 and 9 May 2018.

In relation to her comment in the email of 12 July 2018, [the HR Officer] advised that she would have had a discussion with [Officer A] and advised [Officer A] to collate any relevant documents. Subsequently in relation to the ADCQ complaint, LAQ engaged Crown Law for assistance. [The HR Officer] has advised that [Officer A] gave her the collated documents which [the HR Officer] then forwarded to Crown Law.

23. A preliminary view was conveyed²¹ to the applicant that, given that the information before me at that time did not suggest that further documents were created or should exist in relation to subject matter 2), there were no reasonable grounds to request that further

¹⁹ On 26 August 2019.

²⁰ Letter to OIC dated 22 August 2019.

²¹ Letter to applicant dated 3 October 2019.

searches for documents detailing what information was collected by the HR Officer between 8 and 10 May 2018 be conducted.

24. In response, the applicant submitted:²²

... all relevant documents that resulted or flowed from the 8 May 2018 email should be considered and released to the applicant.

[and]

... as LAQ has clearly indicated that further documents relevant to the ADCQ complaint exist and were collated and provided to Crown Law, the applicant should be given access to these documents.

25. Following the above submission by the applicant, further information was sought²³ from LAQ about documents dated 9, 10 and 11 July 2018. In response, LAQ submitted²⁴ that the documents originally located in response to the access application were re-checked and it was identified that various emails dated 14 May 2018 and 9, 10 and 11 July 2018 had been located and considered by LAQ.²⁵ LAQ also submitted²⁶ that further searches were undertaken of:

- relevant folders located within RM8
- the paper lever arch folder maintained by Officer A; and
- RM8 for all emails between Officer A and the HR Officer dated 9, 10 and 11 July 2018.

26. No additional documents were located as a result of these searches.

27. The outcome of LAQ's re-checking of the located documents and further searches conducted were conveyed²⁷ to the applicant. The applicant was also advised that, based on the information before me, if further documents did exist which were not contained within the documents which had been located by LAQ, including the documents to which the applicant had been refused access, those documents would be exempt from disclosure on the basis that they are subject to legal professional privilege, having been provided to Crown Law for the purpose of seeking legal advice.

28. In response, the applicant further submitted:²⁸

- the issues to be determined by OIC include whether:
 - the collated documents forwarded to Crown Law by the HR Officer are subject to legal professional privilege
 - the collated documents should be provided to OIC to enable OIC to determine if the fraud/improper purpose exception applies based on the applicants concerns about LAQ, including LAQ's RTI processes
 - OIC should give LAQ notice requiring production of the collated documents under section 103(1)(b) of the RTI Act
- the collated documents are being deliberately withheld by LAQ based on a reluctance to release '*documents that would be adverse to [her] case in the [Queensland Industrial Relations Commission] proceedings.*'; and

²² Submission dated 31 October 2019 (received by OIC on 1 November 2019).

²³ Letter to LAQ dated 19 November 2019.

²⁴ Submission dated 20 January 2020.

²⁵ OIC provided the applicant with a list of these emails in a letter dated 21 January 2020.

²⁶ Submission dated 20 January 2020.

²⁷ Letter dated 21 January 2020.

²⁸ Submission dated 9 February 2020.

- 'The 'collated documents' sent by the agency to Crown Law cannot have been considered by the agency in its Decision Notice dated 7 February 2019 as no substantive documents for subject matter item 2 (ADCQ) were released to [her].'

29. Based on the applicant's above submissions, I understand that she is contending that as LAQ has not specifically identified what documents were collated and provided to Crown Law by the HR Officer, LAQ has failed to locate and deal with those documents in response to her access application. While an applicant has a right to access documents under the RTI Act, this right of access does not require an agency to answer questions or provide explanations about the content of documents disclosed or not disclosed to an applicant. OIC's role on external review is limited to reviewing decisions made by government agencies in relation to access to, and amendment of, documents. Therefore, I do not consider that LAQ is required to provide the applicant with an explanation about what documents within the documents located comprise the documents collated and provided to Crown Law by the HR Officer.
30. In response to the applicant's contention that the documents collated and provided to Crown Law by the HR Officer could not have been considered by LAQ in its decision, further enquiries were made with LAQ. In response, LAQ submitted:²⁹

I note in responding to the RTI request LAQ's original decision maker consulted with a number of LAQ officers, including [the HR Officer] and located documents consisting of 436 pages responsive to the application.

By letter dated 22 August 2019, your office was provided with search certificates completed by LAQ officers, including [the HR Officer].

I have confirmed with [the HR Officer] that she has no further documents to those she provided to the original decision-maker.

As regards your query as to whether the documents collated by [the HR Officer] for briefing Crown Law are captured by the documents located in response to the RTI application, I am advised by [the HR Officer] that she supplied printed copies of electronically stored documents to Crown Law and also made these available to our RTI decision maker.

31. I accept that printed out copies of electronically stored documents were collated for provision to Crown Law by the HR Officer. I am also satisfied that there is nothing before me to suggest that the HR Officer has not provided all documents which respond to subject matter 2) of the access application, including the documents collated and provided to Crown Law. In these circumstances, I do not consider that there is any basis to believe the applicant's assertion that LAQ has deliberately withheld documents.
32. On the basis of the information and evidence before me, I am satisfied that no further documents responding to the access application exist, that all reasonable searches for documents responding to the access application have been conducted, and that it is not necessary for any further searches to be conducted.
33. On this basis, I find that access to further documents responsive to the access application may be refused under section 47(3)(e) of the RTI Act on the ground that the documents sought are nonexistent under section 52(1)(a) of the RTI Act.

²⁹ Submission dated 9 March 2020.

Legal professional privilege

34. As set out at paragraph 30 above, LAQ's position is that the documents collated and provided to Crown Law by the HR Officer for the purpose of seeking legal advice form part of the information located and considered by LAQ in response to the access application.
35. The applicant has submitted that *'it is clear that legal professional privilege does not attach to the collated documents...'*³⁰
36. Based on the above, I consider it is necessary to address whether LAQ can refuse access to the Information in Issue on the ground that it is exempt from disclosure on the basis the documents are subject to legal professional privilege.

Relevant law

37. Access to a document may be refused where information is exempt.³¹ Relevantly, information is exempt from disclosure if it would be privileged from production in a legal proceeding on the ground of legal professional privilege.³²
38. Legal professional privilege protects confidential communications between a lawyer and their client, made for the dominant purpose of:
 - seeking or giving legal advice or professional legal assistance (advice privilege), or
 - use in legal proceedings either on foot or reasonably anticipated, at the time of the relevant communication (litigation privilege).³³
39. Legal professional privilege can extend to copies of non-privileged documents where they are attached to privileged communications,³⁴ and to internal client communications repeating legal advice, whether verbatim or in substance, or gathering information necessary in order to seek legal advice.³⁵
40. However, qualifications and exceptions to privilege³⁶ may, in particular circumstances, affect the question of whether information attracts or remains subject to it, and therefore is exempt under the RTI Act.

Findings

41. I have carefully considered the Information in Issue. I am limited by the operation of the RTI Act in the extent to which I can describe this information so my descriptions below are necessarily circumspect.³⁷
42. I am satisfied that:
 - advice was sought or received from a suitably qualified and independent legal advisor

³⁰ Submission dated 9 February 2020.

³¹ Section 47(3)(a) of the RTI Act.

³² Schedule 3, section 7 of the RTI Act.

³³ *Esso Australia Resources Ltd v Commission of Taxation* (1999) 201 CLR 49; *Daniels Corporation International Pty Ltd v Australian Competition and Consumer Commission* (2002) 213 CLR 543 at 552.

³⁴ *Australian Federal Police v Propend Finance Pty Ltd* (1997) 188 CLR 501 (**Propend**).

³⁵ *Brambles Holdings v Trade Practices Commission (No. 3)* (1981) 58 FLR 452 at 458-459; *Komacha v Orange City Council* (Supreme Court of New South Wales, Rath J, 30 August 1979, unreported).

³⁶ Such as waiver or improper purpose.

³⁷ Section 108 of the RTI Act.

- the communications were between staff of LAQ and solicitors employed by Crown Law and were for the dominant purpose of seeking and/or providing legal advice; and
- there is no evidence indicating that the communications were not confidential or that LAQ has otherwise waived privilege.

43. The applicant submits that:³⁸

...it is clear that legal professional privilege does not attach to the collated documents gathered ... and forwarded ... to Crown Law, but rather attaches only to the actual communication between [LAQ] and Crown Law seeking legal advice.

Further, ... the collated documents, as documents that were gathered by the agency as being relevant to the ADCQ complaint, would be regarded in legal proceedings ... as 'evidence' not 'communications' attracting [legal professional privilege].

If this were not the case, then an absurdity would result whereby, all that a client would need to do in any legal proceedings to avoid disclosure of evidence to the other party, would be to provide that evidence (ie the collated documents) along with a communication to their lawyer seeking advice and then claim that, not only the actual communication between lawyer and client, but any documents provided to the lawyer were subject to legal professional privilege. Such is clearly not the case.

44. As noted by the applicant, it is well established law that legal professional privilege attaches to the communication. It is equally established that an attachment to an electronic transmission or hard copy communication forms part of the communication for the purpose of legal professional privilege. Further, legal professional privilege can extend to copies of non-privileged documents where they are attached to privileged communications.³⁹ Thus legal professional privilege applies to the documents forming the attachment in the communication between LAQ and Crown Law. This does not however extend to the original copies of the attached documents. In the circumstances of this matter, the applicant can surmise generally, through her involvement with the agency, the nature of the advice sought by LAQ, but if the collated documents were to be identified from their originals that are contained within the documents which the applicant has already received, then this is likely to disclose the specific advice sought which would in turn breach privilege. Therefore, I consider that identifying any such original documents within the documents released to the applicant would disclose information which I am satisfied is otherwise exempt.

45. I have carefully considered the Information in Issue. I am satisfied that the Information in Issue does not contain any documents which are not themselves communications between LAQ and Crown Law or documents which are attached to those communications.

46. The applicant also submits that:⁴⁰

[She] has consistently raised integrity concerns about [LAQ], not only in relation to the victimisation complaints (false and/or misleading statements to the external investigator and collusion), but also the ADCQ (discrimination) complaints ...

The integrity concerns about [LAQ's] conduct specifically extends to its dealing [with her] RTI applications.

...

³⁸ Submission dated 9 February 2020.

³⁹ *Propend*.

⁴⁰ Submission dated 9 February 2020.

...it is submitted that [LAQ] has, as part of the 'collated documents', deliberately withheld the documents that lead to [the RTI Officer's] awareness of there being no client file as at 14 May 2019 when [LAQ's] concession that there was no actual transfer of a client file did not come until months later on 22 August 2019 in its submissions to the OIC.

[She] submits that the 'collated documents' forwarded to Crown Law by [the HR Officer] in or around July or August 2018 have been deliberately withheld by [LAQ] out of reluctance by [LAQ] to release documents that would be adverse to [LAQ's] case in the [Queensland Industrial Relations Commission] proceedings.

47. The applicant's submissions suggest that the application of legal professional privilege to the Information in Issue would be in furtherance of an improper purpose (concealing corrupt or criminal actions of LAQ and its staff).
48. For the improper purpose exception to LPP to apply, a communication must be made in pursuit of an illegal or improper purpose.⁴¹ In summarising an established line of relevant case law the Assistant Information Commissioner in *Secher and James Cook University*⁴² explained that:

This exception operates to displace legal professional privilege where evidence exists that the relevant client ... has embarked on a deliberate course of action knowing that the proposed actions were contrary to law, and has made the relevant communications in furtherance of that illegal or improper purpose.

... In establishing improper purpose, the standard of proof is high. The High Court has observed that it "is a serious thing to override legal professional privilege where it would otherwise be applicable" and as a result "vague or generalized contentions of crimes or improper purposes will not suffice."⁴³

49. I have carefully considered the Information in Issue and the applicant's submissions in light of the question of improper purpose. I am satisfied that the contents of the Information in Issue do not evidence the applicant's view that staff at LAQ obtained legal advice for the purpose of hiding corruption, reprisals or otherwise illegal activity.
50. There is no evidence in the information before me that the communications that comprise the Information in Issue were made in preparation for, or in furtherance of, an illegal or improper purpose. Accordingly, I find that the improper purpose exception does not apply to preclude the application of legal professional privilege to the Information in Issue.
51. Based on the above, I find that the Information in Issue is subject to legal professional privilege and that the improper purpose exception does not apply. Therefore, the Information in Issue comprises exempt information under schedule 3, section 7 of the RTI Act and access to the Information in Issue may be refused under section 67(1) of the IP Act and sections 47(3)(a) and 48 of the RTI Act.

DECISION

52. For the reasons set out above, I vary LAQ's decision by finding that access may be refused to:
 - further documents responsive to the access application on the ground that they are nonexistent under sections 47(3)(e) and 52(1)(a) of the RTI Act; and

⁴¹ *R v Bell; Ex parte Lees* (1980) 146 CLR 141.

⁴² (Unreported, Queensland Information Commissioner, 6 June 2012) at [20] – [21].

⁴³ See *Shaw and Department of Justice and Attorney-General* [2014] QICmr 33 at [16]; see also *Commissioner of Australian Federal Police and Another v Propend Finance Limited and Others* (1997) 188 CLR 501 at 591-592 and *Murphy and Treasury Department* (1998) 4 QAR 446 at [31] – [43].

- the Information in Issue on the ground that it is exempt from disclosure on the basis that it is subject to legal professional privilege under sections 47(3)(a) and 48 and schedule 3, section 7 of the RTI Act.
53. I have made this decision as a delegate of the Information Commissioner, under section 145 of the RTI Act.

Assistant Information Commissioner Corby

Date: 7 April 2020

APPENDIX

Significant procedural steps

Date	Event
28 February 2019	OIC received the application for external review.
4 March 2019	OIC notified LAQ and the applicant that the application for external review had been received and requested procedural documents. OIC received the requested procedural documents from LAQ.
11 March 2019	OIC advised LAQ and the applicant that the external review application had been accepted, and requested a copy of the following from LAQ: <ul style="list-style-type: none"> the documents located; and any records of the searches conducted.
21 March 2019	OIC received the requested documents from LAQ.
26 April 2019	OIC received an emailed submission from the applicant.
7 May 2019	OIC received an emailed submission from the applicant.
21 June 2019	OIC wrote to LAQ regarding the searches conducted and requested that: <ul style="list-style-type: none"> staff who conducted searches complete a search certification; and LAQ provide a submission.
8 July 2019	OIC received an emailed submission from the applicant.
10 July 2019	OIC received two emailed submissions from the applicant.
12 July 2019	OIC wrote to the applicant addressing matters raised in the applicant's submissions received on 10 July 2019.
22 July 2019	OIC received an emailed submission from the applicant.
29 July 2019	OIC received an emailed submission from the applicant.
26 August 2019	OIC received the requested search certifications and submission (dated 22 August 2019) from LAQ.
13 September 2019	OIC received an emailed submission from the applicant.
17 September 2019	OIC received an emailed submission from the applicant.
19 September 2019	OIC received a further submission from LAQ.
3 October 2019	OIC conveyed a preliminary view to the applicant.
7 October 2019	OIC received an emailed submission from the applicant.
1 November 2019	OIC received written submissions from the applicant dated 31 October 2019.
19 November 2019	OIC wrote to LAQ requesting that LAQ conduct further searches and provide OIC with a submission about the searches and search certifications completed by staff who conduct the further searches.
20 November 2019	OIC received an emailed submission from the applicant.

Date	Event
20 January 2020	OIC received the requested submission and search certifications from LAQ.
21 January 2020	OIC wrote to the applicant about the issues in the review, addressing concerns raised by the applicant in her submissions in response to OIC's preliminary view dated 3 October 2019.
9 February 2020	OIC received an emailed submission from the applicant.
11 February 2020	OIC received a written copy of the applicant's submission enclosing additional attachments. OIC confirmed with the applicant their position regarding OIC's preliminary view on the issues in the review.
14 February 2020	OIC wrote to LAQ seeking clarification as to whether certain documents had been captured by the documents located.
7 March 2020	OIC received an emailed submission from the applicant.
9 March 2020	OIC received LAQ's response to the request for clarification.
10 March 2020	OIC wrote to the applicant addressing concerns raised in her 7 March 2020 email.