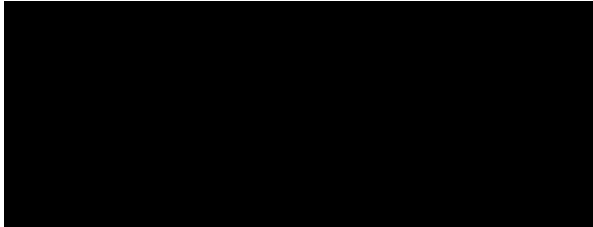


17 September 2026



BY EMAIL

Dear



FOI ACCESS APPLICATION –



DECISION ON YOUR ACCESS APPLICATION

I refer to your access application made under the *Freedom of Information Act 2016 (FOI Act)*, dated 6 August 2026 and amended on 18 August 2026.

Scope of Original Access Application

Your original Access Application sought information that specifies:

1. the limits of the available public funds.
2. The total amount of funding that is available to legal aid.
- 3 details of what legal aid can use funds for.

Amended Access Application

Your amended application sought the below information:

- How much funding was made available to pursue civil remedy against the any ACT commission in the 2024-2025 financial year? How much funding was made available to pursue civil remedy against the any ACT commission this financial year?
- How many people sought a grant to pursue civil remedy against the any ACT commission in the 2024-2025 financial year? How many people have sought a grant to pursue civil remedy against any ACT commission this financial year?
- The value and quantity of grants for those types of matters in 2024-2025 and so far this year that have been provided to: Male Aboriginal Male Non-Aboriginal Female Aboriginal Female Non-Aboriginal
- How much funding remains available for non aboriginal men this financial year?

Authority

I am an information officer appointed by the Director-General of the Legal Aid Commission ACT to make decisions about access to government information, in accordance with section 18 of the FOI Act.

Decision

For the reasons outlined in the attached *Reasons for decision*, I have found that under section 35(1)(b) of the FOI Act, the information sought is not held by the Legal Aid Commission ACT.

Information Publicly Available

I have previously directed you to the Legal Aid ACT Annual Reports (<https://www.legalaidact.org.au/about-us/annual-reports>).

These reports contain publicly available information which may be relevant including:

- Number of Grant Applications or Grants Approved by law type or gender
- Number of clients who identified as Aboriginal or Torres Strait Islander and received services

I have also directed you to the Legal Aid ACT Guidelines which detail considerations for grants of legal assistance:

- <https://www.legalaidact.org.au/about-us/corporate-information/guidelines>

For your convenience, I also resend Information regarding Legal Aid ACT's funding which can be found online:

- Legal Aid ACT Annual reports
 - <https://www.legalaidact.org.au/about-us/annual-reports>
- ACT Government 2025-26 Budget
 - <https://www.treasury.act.gov.au/budget/budget-2025-26/budget-papers-and-statements>
 - [Budget Statement D relates to the Legal Aid Commission \(ACT\)](#)
- National Legal Assistance Partnership 2020-25
 - <https://www.ag.gov.au/legal-system/legal-assistance-services/national-legal-assistance-partnership-2020-25>

Disclosure log

Section 28 of the FOI Act requires publication of access applications and certain information released in response to them on an agency's disclosure log.

As no information is being released in response to your application, no documents will be published. A copy of this decision notice may be published with any personal information removed.

Review rights

You may apply to the ACT Ombudsman to review my decision under section 73 of the FOI Act. An application for review must be made in writing within 20 working days after notice of this decision is published in the disclosure log. Under section 28 of the FOI Act, the disclosure log entry will be published between 3 and 10 working days after this notice is sent to you.

You may submit a request for review of my decision to the ACT Ombudsman by writing in one of the following ways:

Email (preferred): actfoi@ombudsman.gov.au

Post: The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

More information about ACT Ombudsman review is available on the ACT Ombudsman website at: <http://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information>.

Yours faithfully

Michelle Bryant-Smith

Michelle Bryant-Smith

CLIENT SERVICES MANAGER

INFORMATION OFFICER

Reasons for decision

What your amended access application requested

- How much funding was made available to pursue civil remedy against the any ACT commission in the 2024-2025 financial year? How much funding was made available to pursue civil remedy against the any ACT commission this financial year?
- How many people sought a grant to pursue civil remedy against the any ACT commission in the 2024-2025 financial year? How many people have sought a grant to pursue civil remedy against any ACT commission this financial year?
- The value and quantity of grants for those types of matters in 2024-2025 and so far this year that have been provided to: Male Aboriginal Male Non-Aboriginal Female Aboriginal Female Non-Aboriginal
- How much funding remains available for non aboriginal men this financial year?

What I took into account

In reaching my decision, I took into account:

- your original access application dated 6 August 2026
- our email to you dated 18 August 2026
- your amended access application dated 18 August 2026
- consultations with Legal Aid Commission ACT officers about:
 - the nature of the documents sought
 - Legal Aid Commission ACT's operating environment and functions
- the FOI Act
- the ACT Ombudsman FOI Guidelines

Reasons for my decision

I am authorised to make decisions under section 18 of the FOI Act.

The FOI Act provides a right of access to government information held by an agency. An access application requires an agency to identify and consider access to information that it holds. It does not require an agency to create new records or compile statistics or information that does not already exist.

In considering your application, I made enquiries with relevant Legal Aid ACT officers, considered data entry processes, and conducted searches of Legal Aid ACT's customer relationship management system (CRM) and electronic records.

Searches confirmed that there are no report functions, fields, classifications or records that identify applications, grants or funding by reference to

- whether proceedings involve a particular government body, commission, agency, organisation or group, OR
- the outcome sought in those proceedings, including any civil remedy such as damages or compensation.

While individual file records may contain references to parties or outcomes sought, Legal Aid ACT does not maintain datasets by reference to the above parameters. Consequently, the Commission also does not hold breakdowns by financial years, gender or cultural background.

While the terms 'civil remedy' and 'any ACT commission' are broad and may be capable of different interpretations, in light of the above, I find I am able to identify the type of information you seek. I am satisfied that further details about what you mean by 'ACT commission' would not alter this finding. Therefore I have made my decision without seeking further clarification.

I am satisfied that reasonable steps have been taken to identify information within the scope of your application.

Therefore, I find that the Legal Aid Commission ACT does not hold the information you seek in relation to civil remedies against ACT commissions.

Available funding

In relation to available funding, you have previously been given information publicly available about Legal Aid ACT funding and been advised that Legal Aid ACT does not determine applications for legal assistance by reference to a specified fixed monetary amount of "available public funds".

Legal Aid ACT also does not allocate or reserve grant funding according to gender, Aboriginal or Torres Strait Islander status, cultural background, or other demographic characteristics.

Therefore, I find that the Legal Aid Commission ACT does not hold the information you seek regarding funding.

Decision

For these reasons, I am satisfied that, under section 35(1)(b), documents within the scope of your amended access application are not held by the Legal Aid Commission ACT.

Relevant sections of the FOI Act

Freedom of Information Act 2016 Excerpts

7 Right of access to government information

- (1) Subject to this Act, every person has an enforceable right to obtain access under this Act to government information.
- (2) This section applies to information even if it came into existence before the commencement of this Act.

35 Deciding access—how applications are decided

- (1) The respondent decides an access application for government information by deciding—
 - (a) to give access to the information; or
 - (b) that the information is not held by the respondent; or
 - (c) to refuse to give access to the information because the information is contrary to the public interest information; or
 - (d) to refuse to deal with the application (see section 43); or
 - (e) to refuse to confirm or deny that the information is held by the respondent because—
 - (i) the information is contrary to the public interest information; and
 - (ii) doing so would, or could reasonably be expected to—
 - (A) endanger the life or physical safety of a person; or
 - (B) be an unreasonable limitation on a person's rights under the [Human Rights Act 2004](#); or
 - (C) significantly prejudice an ongoing criminal investigation.
- (2) An access application may be decided in more than 1 way.

53 Content of notice—information not held by respondent

If an access application relates to government information that is not held by the respondent, the decision notice must state that the information is not held by the respondent.