



**Office of the
Minister for Revenue and Financial Services**

The Hon Kelly O'Dwyer MP

23 December 2016

FOI Ref: 2054

Mr John Telford
Secretary
VOFF

Email: johnt@learth.net

Dear Mr Telford

I refer to your FOI request to the Minister for Revenue and Financial Services dated 1 December 2016. Your request reads as follows:

'Please provide copy of the information concerning James Campbell Sutherland and Jack William Flader and / or about the companies they operated that ASIC sent to the United Kingdom Serious Fraud Office (SFO). ASIC sent the information to SFO late 2015 early 2016.

We do not seek confidential company information or National Security sensitive information. We do not seek confidential personal details. According to ASIC found Mr Flader did not breach laws in Australia in regards to his involvement in Trio Capital.

Victims of Financial Fraud (VOFF Inc) seek this information under the Commonwealth Information Act 1982 (FOI Act).'

I am replying to you on the Minister's behalf.

Decision

I am unable to grant you access to the documents you have requested. This is because neither the Minister nor this Office is in possession of any such documents.

Section 24A(1) of the *Freedom of Information Act 1982* provides that an agency or Minister may 'refuse' a request for access to a document if, after all reasonable steps

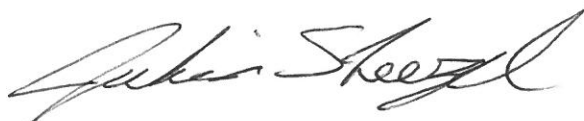
have been taken to find the document, the agency or Minister is satisfied that the document either cannot be found or does not exist.

On this occasion I, on behalf of the Minister, am satisfied that all reasonable steps to locate the documents you have requested have been taken but the documents do not exist.

Rights of Review

A statement setting out your rights of review in this matter is attached.

Yours sincerely

A handwritten signature in black ink, appearing to read "Julian Sheezel". The signature is fluid and cursive, with a large initial 'J' and 'S'.

Julian Sheezel
Chief of Staff