

184 Warriewood Road
Mona Vale NSW 2103
Mob: 0403 692 937

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Sasha Lowes
Solicitor
For Crown Solicitor

crownsol@csso.nsw.gov.au

**WALKER .V. N.S.W. DEPARTMENT OF PREMIER & CABINET
NCAT FILE 2017/226200**

I refer to the above Proceedings.

Thank you for your letter 25th October 2017.

The Respondent's decision to vary the GIPA Refusal for Documents Records 1-20 and 23-25 is appreciated.

To complete my GIPA request to NCAT to Review the 7th June 2017 GIPA Decision, NCAT is requested to review the Refusal of access to the file Records 21 and 22.

As per Section 106 of the GIPA Act (Para 2), NCAT '....may require the information to be produced in evidence before it.'

It is requested that Records 21 and 22 be produced to NCAT, prior to the Hearing, to ensure adequate time for examination.

It is suggested that in addition to the production to NCAT of the complete Records 21 and 22, that a redacted version be provided as a possible alternative.

As per S.106 (3) NCAT '....may then proceed to make a decision as to the correct and preferable decision on the matter.'

As per S.106 (4) 'NCAT is not to reject the claim unless it has given the Premier a reasonable opportunity to appear and be heard in relation to the matter.'

It is of concern that, as in the *Bennison .v. N.S.W. Premier and Cabinet 2016*, "hearsay evidence" forms an important part of the Respondent's evidence, here the Affidavit of Karen Smith relies on "hearsay evidence" from John Clark and Dennis Smith.

It is requested that NCAT invites the Premier to appear at the Hearing.

Yours faithfully

Philip Walker

c.c. NCAT – Level 14, Civic Tower, 66 Goulburn Street, Sydney NSW 2000
Information Commissioner – ipcinfo@ipc.nsw.gov.au