



Decision and Reasons for Decision

Citation:	<i>K81 and Queensland Police Service</i> [2025] QICmr 74 (21 October 2025)
Application Number:	318686
Applicant:	K81
Respondent:	Queensland Police Service
Decision Date:	21 October 2025
Catchwords:	ADMINISTRATIVE LAW - RIGHT TO INFORMATION - APPLICATION OUTSIDE SCOPE OF ACT - ENTITIES TO WHICH ACT DOES NOT APPLY IN RELATION TO A PARTICULAR FUNCTION - application for documents concerning the respondent's processing and deciding other access applications - whether the agency decision maker is an entity to which the Act does not apply - whether the request is outside the scope of the Act - section 52(1)(b)(ii) of the <i>Information Privacy Act 2009</i> (Qld) and schedule 2, part 2, item 7 of the <i>Right to Information Act 2009</i> (Qld) ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - IRRELEVANT INFORMATION - information falling outside the scope of the applicant's request - whether deleted information is irrelevant to the terms of the access application - section 88 of the <i>Information Privacy Act 2009</i> (Qld) ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - CONTRARY TO THE PUBLIC INTEREST INFORMATION - personal information - whether disclosure of information would, on balance, be contrary to the public interest - section 67(1) of the <i>Information Privacy Act 2009</i> (Qld) and sections 47(3)(b) and 49 of the <i>Right to Information Act 2009</i> (Qld)

REASONS FOR DECISION

Summary

1. The applicant applied¹ to Queensland Police Service (**QPS**) under the *Information Privacy Act 2009* (Qld) (**IP Act**) for access to documents in the following terms:
 1. *Internal correspondence (e.g., emails, memos) between QPS officers, or between QPS and the Office of the Director of Public Prosecutions (ODPP), about the existence, handling, or decision not to disclose CCTV evidence to my defence lawyer or the court, from 1 January 2020 to 31 March 2025.*
 2. *Copies of previous RTI decisions regarding the non-disclosure or handling of the CCTV footage.*
 3. *Copies of police notebooks and investigation logs for QP2002375683 and QP2002566205.*
 4. *Decision records, briefing notes, or meeting minutes regarding the CCTV evidence in cases QP2002375683 and QP2002566205. Searches are to be conducted with Criminal Investigation Branch (CIB), Ethical Standards Command (ESC), Legal Services Branch or Legal Division and the relevant regional command for the following:*
 - 4.1 *The rationale for decisions made regarding the CCTV evidence.*
 - 4.2 *The individuals involved in making or approving these decisions.*
2. QPS did not make a decision in response to the application within the statutory timeframe and therefore was deemed to have refused access to the requested information under section 66(1) of the IP Act.²
3. On 5 June 2025, the applicant applied to the Office of the Information Commissioner (**OIC**) for external review of QPS's deemed refusal of access.
4. During the course of the review, QPS located 26 pages that responded to the terms of the access application and gave the applicant partial access to them. It submitted that access to the remaining information should be refused because it was irrelevant information or because its disclosure would, on balance, be contrary to the public interest. In respect of item 2 of the access application, QPS submitted that any responsive documents would not be subject to the IP Act.
5. For the reasons set out below, I decide, under section 123(1)(b) of the IP Act, to vary QPS's deemed refusal of access decision by finding that information sought by the applicant pursuant to item 2 of the access application is not subject to the IP Act, and that access to the remainder of the information in issue may be refused either because it is irrelevant, or because its disclosure would, on balance, be contrary to the public interest.

¹ Valid application received by QPS on 21 March 2025. On 1 July 2025, key parts of the *Information Privacy and Other Legislation Act 2023* (Qld) (**IPOLA Act**) came into force, effecting changes to the IP Act and *Right to Information Act 2009* (Qld) (**RTI Act**). As the applicant's application was made before this change, the IP Act and RTI Act **as in force prior to 1 July 2025** remain applicable to it. This is in accordance with transitional provisions in chapter 8, part 3 of the IP Act and chapter 7, part 9 of the RTI Act, which require that applications on foot before 1 July 2025 are to be dealt with as if the IPOLA Act had not been enacted. Accordingly, references to the IP Act and RTI Act in this decision are to those Acts **as in force prior to 1 July 2025**. These may be accessed at <https://www.legislation.qld.gov.au/view/html/inforce/2024-12-31/act-2009-014> and <https://www.legislation.qld.gov.au/view/html/inforce/2024-12-31/act-2009-013> respectively.

² Notice of the deemed decision under section 66(2) of the IP Act was sent to the applicant on 6 June 2025.

Reviewable decision

6. The decision under review is QPS's deemed refusal of access decision issued to the applicant on 6 June 2025.

Evidence considered

7. The evidence, submissions, legislation and other material I have considered in reaching my decision are set out in these reasons (including footnotes). I have taken account of the applicant's submissions to the extent that they are relevant to the issues for determination in this review.³
8. I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to seek and receive information.⁴ I consider a decision-maker will be '*respecting and acting compatibly with*' that right and others prescribed in the HR Act, when applying the law prescribed in the IP Act and the RTI Act.⁵ I have acted in this way in making this decision, in accordance with section 58(1) of the HR Act. I also note the observations made by Bell J on the interaction between equivalent pieces of Victorian legislation:⁶ '*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.*'⁷

Issues raised by the applicant

9. In an email on 26 August 2025, following the release of information to him by QPS, the applicant advised OIC that he had four outstanding concerns:
 - a) he continued to seek access to documents responding to item 2 of his access application
 - b) he sought clarification from QPS regarding the grounds for a decision it had made in 2021 in response to a previous IP Act access application lodged by the applicant⁸
 - c) he required OIC to consider whether QPS's conduct in dealing with his 2021 application '*meets the threshold for systematic non-compliance*' with the IP Act; and
 - d) he required OIC to inspect the refused information in this review '*and provide a better statement of reasons under section 99 of the IP Act*'.
10. I am satisfied that issue a) falls within OIC's jurisdiction to determine. In respect of issue d), OIC has jurisdiction to review the refused information and to decide whether or not access to it should be given under the IP Act. In making that decision, OIC is required to give reasons for the decision under section 123(3) of the IP Act.⁹ I will discuss both of these issues, and the applicant's submissions in respect of them, below.

³ Contained in the applicant's external review application and in emails on 26 August 2025 and 22 September 2025 (with attachments).

⁴ Section 21 of the HR Act.

⁵ *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 [111].

⁶ *Freedom of Information Act 1982* (Vic) and the *Charter of Human Rights and Responsibilities Act 2006* (Vic).

⁷ *XYZ* at [573].

⁸ QPS ref: RTI/34559.

⁹ The applicant's reference to requiring a '*better statement of reasons under section 99 of the IP Act*' is unclear. Section 99 of the IP Act simply provides that a person affected by a reviewable decision may apply to the Information Commissioner to have the decision reviewed. The applicant may have intended to refer to section 99 of the RTI Act, the equivalent of which is section 112 of the IP Act. However, section 112 of the IP Act is a discretionary provision that provides that the Information Commissioner may require an agency to provide further and better particulars of the decision under review if the Commissioner considers the reasons contained in the decision are not adequate. Whether or not the Information Commissioner decides to exercise the discretion in section 112 is a matter for the Information Commissioner in the particular circumstances of each case. The decision under review in this case is a deemed refusal of access. However, upon receiving and reviewing the refused information, it was not considered necessary by OIC to exercise the discretion contained in section 112 of the IP Act to require further information from QPS.

11. As the applicant was advised during the review, OIC has no jurisdiction under the IP Act in this review to deal with issues b) and c). In a letter to the applicant dated 17 September 2025, it was stated as follows regarding these issues:
- OIC's only jurisdiction in this review, under section 123 of the IP Act, is to conduct a merits review of the 'reviewable decision', that is, of QPS's deemed refusal of access decision on 6 June 2025
 - OIC has no jurisdiction in this review to require QPS to provide clarifying information, or further and better particulars, of the decision issued to the applicant in 2021; and
 - there is no evidence before OIC of systemic noncompliance by QPS with the IP Act in the context of the current review and, again, OIC has no jurisdiction to consider QPS's conduct in dealing with his earlier access application/s in 2021.
12. The applicant responded with a submission on 22 September 2025, including attachments. In respect of issue b), the applicant acknowledged that section 123 of the IP Act limited the scope of OIC's review to the decision under review, but submitted that '*clarification of historical context aids procedural fairness where it impacts the deemed refusal ...*':
- The 2021 refusal cited vague "jurisdictional exclusions" without detail on CCTV applicability, mirroring the current RTI/52925 issues. This emerging evidence justifies a s 99 statement to confirm grounds, ensuring consistency without exceeding jurisdiction (Guide, p. 45).*
13. In order to respond to the applicant's submission, it is necessary, firstly, to clarify some of the various access applications, and applications for external review, that the applicant has made since 2021. In the 10 June 2021 decision by QPS about which the applicant specifically complains (RTI/34559), QPS decided that the document sought by the applicant – a copy of the 'audio footage' contained in a particular CCTV recording on 16 November 2020 – did not exist because, while the relevant CCTV footage had been located, it contained no audio. The applicant applied to OIC for external review of this decision on 6 September 2021 (external review 316301) which was outside the statutory timeframe. The Information Commissioner decided not to exercise the discretion to extend time for the making of the application not only because of the significant delay, but also in recognition of the fact that the applicant had, in any event, made a second access application to QPS (RTI/35807) seeking access to a copy of the complete CCTV recording (that is, not limiting his request to audio of the recording). In response to that application, QPS decided¹⁰ to refuse access to a copy of the footage, on public interest grounds,¹¹ and to grant access by way of inspection only. The applicant subsequently applied to OIC for external review of this decision (external review 316368). OIC advised the applicant that the footage had been reviewed by OIC and that OIC was of the preliminary view that QPS's decision should be affirmed on external review, and that access to the footage should be granted by way of inspection only. The applicant did not seek to challenge that view within the requisite timeframe, and the review was finalised and closed on that basis.
14. Accordingly, even if there were jurisdiction in this review to revisit the decisions made by QPS in 2021 (and there is not), the bases for QPS's earlier decisions appear clear. Contrary to the applicant's assertions, there is nothing in the material before OIC to indicate that QPS denied that the CCTV footage sought by the applicant existed. While QPS decided in response to the specific terms of the applicant's first access application

¹⁰ Internal review decision by QPS dated 13 October 2021.

¹¹ Because the footage contained the personal information of other individuals.

in 2021 that audio of the footage did not exist, it confirmed in its decision that the requested footage itself existed. In response to the applicant's second access application, QPS again confirmed that responsive footage existed and explained its reasons for finding that access to the footage should be granted by way of inspection only. On external review, OIC confirmed to the applicant that it had reviewed the footage and formed the preliminary view that QPS's decision was justified and should be affirmed on external review.

15. I reiterate the advice that was provided to the applicant during the review – that if he wishes to complain about QPS's 2021 decisions or to seek further clarification about them, it is necessary for him to raise his concerns with QPS directly.¹²

16. As to the third issue, the applicant submitted that section 126 of the IP Act allowed OIC to refer misconduct by QPS to QPS's principal officer and that '[OIC's] decisions can note systemic issues to uphold public interest in information flow to law enforcement ...':

QPS's pattern—denying CCTV existence, partial QCAT access, and RTI delays—indicates s 47 (timelines) and s 67 (access decisions) breaches. The QCAT transcript (Attachment 1) and CCC referral (Attachment 3) validate this, as in T71 [2022] QICmr 10 where systemic RTI issues prompted recommendations. Addressing it here aligns with OIC's mandate without separate probe.

I respectfully request that this pattern gets a mention in the decision, with a s 126 referral to boost IP Act standards.

17. I would note, again, that there is nothing in the material before OIC to indicate that QPS denied the existence of CCTV footage (as opposed to audio of the footage). But in any event, the applicant is referring to, and relying upon, matters that are not before OIC in this review and that are not relevant to the issues for OIC's determination in this review. The terms of any earlier access application that the applicant made to QPS; the basis for any decision that QPS gave in response; and any proceedings in the Queensland Civil and Administrative Tribunal (**QCAT**) to which the applicant is a party are not issues that OIC has jurisdiction under the IP Act to consider in this review.
18. I do not understand the basis for the applicant's contention that QPS has 'breached' either section 47 or section 67 of the IP Act in respect of the decision under review. Section 47 of the IP Act provides that an access application is taken only to apply to documents that are, or may be, in existence on the day the application is received. Section 67 of the IP Act provides that an agency may refuse access to a document in the same way and to the same extent that it could refuse access to the document under section 47 of the RTI Act. Neither section 47 or section 67 of the IP Act would appear to have any operational significance in the circumstances of QPS's deemed refusal of access decision on 6 June 2025.
19. For the sake of completeness, I will simply note that there is nothing before OIC in the context of this review to suggest that any officer of QPS has committed a breach of duty or misconduct in administering the IP Act, such to enliven the Information Commissioner's disciplinary reporting duty under section 126 of the IP Act. Nor is there any evidence of 'systemic RTI issues' concerning QPS.

Information in issue

20. The information in issue comprises those parts of the responsive 26 pages that were not released to the applicant during the course of the review (**Information in Issue**).

¹² Further to that, I note, from the information provided by the applicant in his submission on 22 September 2025, that the applicant's concerns have apparently been referred to QPS's Ethical Standards Command to consider.

Issues for determination

21. The issues for determination in this review are as follows:

- a) whether information responding to item 2 of the access application is subject to the IP Act; and
- b) whether access to the Information in Issue may be refused under the IP Act because it is irrelevant, or because its disclosure would, on balance, be contrary to the public interest.

Issue a)

22. In item 2 of his access application, the applicant sought access to ‘Copies of previous [QPS] RTI decisions regarding the non-disclosure or handling of the CCTV footage.’

Relevant law

23. Documents received or generated by an agency in the course of processing and deciding an access application under the IP Act or the RTI Act are documents of an entity that is not subject to either Act: section 32(1)(b)(ii) of the RTI Act; section 52(1)(b)(ii) of the IP Act; and schedule 2, part 2, item 7 of the RTI Act.

24. OIC’s decision that establishes this principle is *T71 and Queensland Police Service*.¹³ This decision applied the comments made by Hoebe J of QCAT in *Carmody v Information Commissioner & Ors* (5)¹⁴ regarding applications that seek access to documents created or received by an agency decision-maker in the course of processing, and deciding, an access application under the RTI Act. It decided that such an application is outside the scope of the RTI Act because:

- the Information Commissioner is a quasi-judicial entity
- the Information Commissioner’s external review functions are quasi-judicial functions; and
- an agency decision-maker who processes an access application and makes a reviewable decision on the application is ‘connected with’ the Information Commissioner in relation to the Information Commissioner’s quasi-judicial functions.

25. The issue was recently considered again by QCAT in its decision in *Stella v Griffith University*.¹⁵ QCAT confirmed that processing documents, including decisions made by agencies in response to access applications, fall outside the scope of the IP Act and RTI Act because they are documents of an entity that is not subject to either Act.

Finding

26. In his submission of 22 September 2025, the applicant submitted that his request targeted ‘substantive records’ and not ‘mere processing notes’ and that new evidence of ‘QPS inconsistencies’ raised a public interest in disclosure. He argued that the decision in *Stella v Griffith University* supported disclosure in such circumstances in order to advance accountability.

¹³ [2022] QICmr 10 (4 March 2022).

¹⁴ [2018] QCATA 18.

¹⁵ [2025] QCATA 20 (*Stella v Griffith University*).

27. The nature of the particular processing documents is irrelevant to the operation of schedule 2, part 2, item 7 of the RTI Act: documents of any nature created or received by an agency decision-maker in the course of processing, and deciding, an access application under the IP Act or RTI Act are documents of an excluded entity and there is no right of access to them. Nor is schedule 2, part 2 of the RTI Act subject to a public interest balancing test. Arguments of a public interest nature are irrelevant to the operation of the exclusion, and I do not accept the applicant's contention that the decision in *Stella v Griffith University* found otherwise.¹⁶
28. I note that, in his email of 26 August 2025, the applicant attempted to broaden his request so as to request access to all internal discussions relevant to the making of decisions to withhold CCTV footage. An applicant is not permitted to broaden the scope of their access application during the external review process. But in any event, for the reasons explained above, even if documents evidencing such discussions were to exist, they would comprise processing documents and would not be subject to the IP Act.
29. Accordingly, I find that the documents to which the applicant seeks to access in item 2 of his access application are not subject to the IP Act.

Issue b)

Irrelevant information - relevant law

30. Section 88 of the IP Act provides that an agency may delete information from a document where that information is not relevant to the access application.

Finding

31. In response to my advice to the applicant that I had examined the information marked as irrelevant by QPS and I had formed the preliminary view that the information did not relate to the applicant and did not fall within the terms of the access application, the applicant argued that section 88 of the IP Act '*required balancing*' with accountability and transparency considerations.¹⁷
32. I do not accept the applicant's submission in this regard. The operation of section 88 of the IP Act is clear – information that is not relevant to the terms of the access application may be deleted. There is no requirement to take account of public interest considerations.
33. Accordingly, I find that access to the information marked by QPS as irrelevant may be deleted under section 88 of the IP Act on the basis that it does not fall within the terms of the access application.

Public interest balancing test - relevant law

34. Under the IP Act, a person has a right to be given access to documents of an agency to the extent they contain the individual's personal information.¹⁸ This right is subject to other provisions of the IP Act and the RTI Act, including the grounds on which an agency

¹⁶ To the contrary, see paragraph [83] of the decision where it was confirmed that issues of exemption or public interest, as well as the pro-disclosure bias more generally, did not apply to the information in issue because Chapter 3 of the IP Act did not apply to the agency decision-maker.

¹⁷ I note that the applicant's submissions on page 4 of his letter dated 22 September 2025 are confusing in that they refer to provisions (such as section 73(2)(b) and section 73(2)(d)) that do not exist in either the IP Act or the RTI Act.

¹⁸ Section 40 of the IP Act.

may refuse access to information.¹⁹ One ground of refusal is where disclosure would, on balance, be contrary to the public interest.²⁰

35. In assessing whether disclosure of information would, on balance, be contrary to the public interest, a decision-maker must:²¹
- identify factors irrelevant to the public interest and disregard them
 - identify factors in favour of disclosure of information
 - identify factors in favour of nondisclosure of information; and
 - decide whether, on balance, disclosure of the information would be contrary to the public interest.
36. Schedule 4 of the RTI Act contains non-exhaustive lists of factors that may be relevant in determining where the balance of the public interest lies in a particular case. I have considered these lists,²² together with all other relevant information, in reaching my decision. I have kept in mind the IP Act's pro-disclosure bias²³ and Parliament's requirement that grounds for refusing access to information be interpreted narrowly.²⁴

Finding

37. The Information in Issue comprises the sensitive personal information²⁵ of individuals other than the applicant, including information provided to police by victims and witnesses to two assaults. A public interest harm in disclosure of this information under the IP Act therefore automatically arises.²⁶ Also applicable are the public interest nondisclosure factors that recognise the public interest in protecting the privacy of the relevant individuals;²⁷ and in protecting the flow of information from members of the community to law enforcement agencies such as QPS and that assists such agencies to effectively and efficiently discharge their important law enforcement and public safety functions on behalf of the community.²⁸
38. I accept that some segments of information are the shared personal information of the applicant and others. This information is inextricably intertwined, meaning that the applicant's personal information cannot readily be separated from the personal information of others. While the IP Act may recognise a strong public interest in a person obtaining access to their own personal information held by government,²⁹ it recognises an equally strong public interest both in protecting the personal information, and right to privacy, of other individuals.³⁰ This is particularly so when account is taken of the fact that there are no restrictions upon what a person may do with information that is

¹⁹ Section 67(1) of the IP Act and section 47 of the RTI Act.

²⁰ Section 47(3)(b) of the RTI Act.

²¹ Section 49(3) of the RTI Act.

²² I have considered each of the public interest factors outlined in schedule 4 of the RTI Act.

²³ Section 64 of the IP Act.

²⁴ Section 67(2) of the IP Act and section 47(2) of the RTI Act. In deciding whether disclosure of the Information in Issue would, on balance, be contrary to the public interest, I have taken no irrelevant factors into account in making my decision.

²⁵ Within the meaning of section 12 of the IP Act. 'Personal information' is defined in section 12 of the IP Act as '*information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.*'

²⁶ Schedule 4, part 4, section 6 of the RTI Act. The concept of 'privacy' is not defined in either the IP Act or the RTI Act. It can, however, essentially be viewed as the right of an individual to preserve their personal sphere free from interference from others (paraphrasing the Australian Law Reform Commission's definition of the concept in "*For your information: Australian Privacy Law and Practice*" Australian Law Reform Commission Report No. 108 released 11 August 2008, at paragraph 1.56).

²⁷ Schedule 4, part 3, item 3 of the RTI Act.

²⁸ Schedule 4, part 3, item 13 of the RTI Act.

²⁹ Schedule 4, part 2, item 7 of the RTI Act.

³⁰ Schedule 4, part 3, item 3 and schedule 4, part 4, section 6 of the RTI Act.

disclosed to them under the IP Act, including the possibility of further dissemination.³¹ Furthermore, the shared information in question was collected in the context of the giving of information to police about two incidents of assault. I have already recognised above, the strong public interest in protecting the flow of information to police from members of the community that assist police to investigate and deal with potential contraventions of the law.

39. Given the sensitive nature of the information and the context in which it was collected by police, I afford strong weight to each of these factors favouring nondisclosure of the information.
40. In terms of public interest factors favouring disclosure of the Information in Issue, I recognise the public interest in enhancing the accountability and transparency of QPS for the manner in which it discharges its law enforcement functions.³² However, given the nature of the information, together with the fact that the relevant matters were heard in the Magistrates Court in 2021, I do not consider that its disclosure would enhance QPS's transparency or accountability in any significant way regarding its interactions with the applicant, nor enhance the applicant's understanding of the manner in which QPS conducted its investigation into the incidents, or the decisions it made in the context of its investigation.
41. I therefore afford low weight to the factors favouring disclosure of the Information in Issue.
42. In his submission of 26 August 2025, the applicant submitted that he required access to *'the full, unredacted internal emails between officers'*. In his submission of 22 September 2025, the applicant argued that any privacy concerns were outweighed by the public interest in police accountability, particularly in terms of investigating *'misleading responses'* by QPS, and in circumstances where there was *'no evidence of witness harm'*. He requested a *'better s 99 statement'* to *'specify each redaction's test application'*.
43. I consider the applicant's submissions to be misconceived. Firstly, as I have already noted, there is no evidence before OIC in the context of this review of misleading responses being provided by QPS. Secondly, whether or not there is any evidence of harm to witnesses by the applicant is irrelevant – the relevant public interest factors recognise the public interest in protecting the personal information and right to privacy of the relevant individuals.
44. As to the applicant's request to receive a statement specifying *'each redaction's test application'*, I have explained above³³ that, at the conclusion of an external review that has been unable to be resolved informally, an applicant is entitled, under section 123 of the IP Act, to receive from OIC a written decision that affirms, varies or sets aside the decision under review, and that includes the reasons for the decision.
45. After weighing the public interest factors favouring disclosure and nondisclosure of the Information in Issue, I am satisfied that the factors favouring nondisclosure outweigh those favouring disclosure such that the balance of the public interest favours nondisclosure of the Information in Issue.

³¹ As Judicial Member McGill SC of QCAT observed *'... the effect of the... [RTI Act] is that, once information has been disclosed, it comes under the control of the person to whom it has been disclosed. 'There is no provision of that Act which contemplates any restriction or limitation on the use which that person can make of that information, including by way of further dissemination.'*: FLK v Information Commissioner [2021] QCATA 46 at [17].

³² Schedule 4, part 2, items 1, 3, 11 of the RTI Act.

³³ See paragraph 10 above, and footnote 9.

46. Accordingly, I find that access to the Information in Issue may be refused under the IP Act on the ground that its disclosure would, on balance, be contrary to the public interest.

DECISION

47. For the reasons set out above, I vary the reviewable decision³⁴ and find that:

- the documents to which the applicant seeks access in item 2 of his access application are documents of an entity that is not subject to Chapter 3 of the IP Act pursuant to section 52(1)(b)(ii) of the IP Act and schedule 2, part 2, item 7 of the RTI Act
- the information marked by QPS as irrelevant in the released documents may be deleted under section 88(2) of the IP Act; and
- access to the remainder of the Information in Issue may be refused under section 67(1) of the IP Act and sections 47(3)(b) and 49 of the RTI Act on the ground that its disclosure would, on balance, be contrary to the public interest.

48. I have made this decision under section 123 of the IP Act, as a delegate of the Information Commissioner, under section 139 of the IP Act.



A Rickard
A/Right to Information Commissioner

Date: 21 October 2025

³⁴ Under section 123(1)(b) of the IP Act.