



## Decision and Reasons for Decision

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Citation:	<i>G57 and Queensland Corrective Services [2025] QICmr 8 (28 February 2025)</i>
Application Number:	317953
Applicant:	G57
Respondent:	Queensland Corrective Services
Decision Date:	28 February 2025
Catchwords:	<b>ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - NEITHER CONFIRM NOR DENY - request for documents sent or received by other individuals about the applicant - whether the existence of responsive information can be neither confirmed nor denied - section 69 of the <i>Information Privacy Act 2009</i> (Qld)</b>

## REASONS FOR DECISION

### Summary

1. The applicant applied<sup>1</sup> to Queensland Corrective Service (**QCS**) under the *Information Privacy Act 2009* (Qld) (**IP Act**) for certain documents about him. The applicant subsequently agreed to narrow the scope of his access application (**Narrowed Application**).<sup>2</sup>
2. QCS decided, under section 69 of the IP Act, to neither confirm nor deny the existence of the documents sought by the applicant.<sup>3</sup>
3. The applicant applied<sup>4</sup> to the Office of the Information Commissioner (**OIC**) for external review of that decision, on the basis that QCS had not specified how disclosing the requested documents would be contrary to the public interest.
4. For the reasons set out below, I affirm QCS' decision to neither confirm nor deny the existence of the documents to which access is sought, on the basis that those documents would, if they existed, contain prescribed information.

### Reviewable decision

5. The decision under review is QCS' decision dated 15 April 2024.

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<sup>1</sup> On 19 March 2024.

<sup>2</sup> By email dated 26 March 2024.

<sup>3</sup> Decision dated 15 April 2024.

<sup>4</sup> External review application dated 17 April 2024. On 18 April 2024, OIC received a letter from the applicant providing submissions in support of his application. I will refer to these collectively as the **External Review Application**.

## Evidence considered

6. The evidence, submissions, legislation and other material I have considered in reaching my decision are set out in these reasons (including footnotes and the Appendix). The significant procedural steps taken by OIC in conducting the external review are set out in the Appendix.
7. I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**),<sup>5</sup> particularly the rights to seek and receive information, and privacy and reputation.<sup>6</sup> I consider a decision-maker will be '*respecting, and acting compatibly with*' those rights, and others prescribed in the HR Act, when applying the law prescribed in the IP Act and the *Right to Information Act 2009* (**RTI Act**).<sup>7</sup> 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 of Bell J on the interaction between equivalent Victorian legislation,<sup>8</sup> that '*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*'.<sup>9</sup>

## Issue for determination

8. The issue for determination is whether QCS was entitled, under section 69 of the IP Act, to neither confirm nor deny the existence of the documents sought by the applicant.

## Relevant law

9. Under the IP Act, an individual has a right to be given access to documents of an agency, to the extent they contain the individual's personal information.<sup>10</sup> However, this right is subject to limitations, including grounds for refusal of access.<sup>11</sup>
10. Section 69 of the IP Act allows a decision-maker to neither confirm nor deny the existence of a document which, if it existed, would contain prescribed information. This provision is intended to apply in situations where, due to the specific wording of the request, revealing that the agency does, or does not, have documents in response to an application, would reveal information to which an agency would normally be entitled to refuse access.
11. '*Prescribed information*' is defined<sup>12</sup> as including '*personal information the disclosure of which would, on balance, be contrary to the public interest, under the Right to Information Act, section 47(3)(b)*'.
12. QCS has the onus in this review of establishing that the decision under review was justified or that the Information Commissioner should give a decision adverse to the applicant.<sup>13</sup>

<sup>5</sup> Relevant provisions of which commenced on 1 January 2020.

<sup>6</sup> Sections 21(2) and 25 of the HR Act.

<sup>7</sup> *XYZ v Victoria Police (General)* [2010] VCAT 255 (16 March 2010) (**XYZ**) at [573]; and *Horrocks v Department of Justice (General)* [2012] VCAT 241 (2 March 2012) at [111].

<sup>8</sup> *Freedom of Information Act 1982* (Vic) and the *Charter of Human Rights and Responsibilities Act 2006* (Vic).

<sup>9</sup> *XYZ* at [573]. This approach, in the context of the IP Act and RTI Act, was endorsed by Judicial Member DJ McGill SC in *Lawrence v Queensland Police Service* [2022] QCATA 134 at [23], observing that the Information Commissioner '*was conscious [of the right to seek and receive information] and considered that the application of the Act gave effect to the requirements of the Human Rights Act. I see no reason to differ from that conclusion.*'

<sup>10</sup> Section 40 of the IP Act.

<sup>11</sup> Section 67(1) of the IP Act provides that access may be refused to information in the same way and to the same extent as information may be refused under the RTI Act. The refusal grounds in the RTI Act can be found in section 47.

<sup>12</sup> In schedule 5 of the IP Act.

<sup>13</sup> Section 100(1) of the IP Act.

## Applicant's submissions

13. The documents requested in the Narrowed Application (**Requested Documents**) were described as—'*[a]ll emails, file notes, records of conversations, or reports which contain information that criticise, complain, compliment or otherwise make reference to [the applicant's] alleged performance, inappropriate conduct, actions or inactions while [the applicant] was in [a nominated employment position], initiated or received by*' 11 named individuals.<sup>14</sup>
14. In respect of the Requested Documents, the applicant submitted<sup>15</sup> that he was aware of their '*existence and potentially erroneous content*',<sup>16</sup> however, he was never made aware of '*specific details or allegations*' and was '*never afforded natural justice through a right of reply*'.

## Findings

15. I am satisfied that QCS has discharged its onus in this external review, for the reasons that follow.
16. For the provision in section 69 of the IP Act to apply to the Narrowed Application, I must be satisfied that, based on the terms of the Narrowed Application, the Requested Documents would, if they existed, contain personal information the disclosure of which would, on balance, be contrary to the public interest under section 47(3)(b) of the RTI Act.
17. In making these findings, I have carefully considered the applicant's submissions and have addressed them below, to the extent they are relevant to the issue for determination. I have also carefully reviewed the submissions QCS provided in support of their position that section 69 of the IP Act applies to the Narrowed Application. However, as I am making findings in relation to a 'neither confirm nor deny' issue, I am somewhat limited in the level of detail I can provide in my assessment of the submissions received from both QCS and the applicant. In particular, I have been necessarily circumspect in detailing the information which QCS has provided in their submissions.
18. Nothing in these Reasons for Decision should be taken to confirm nor deny that the Requested Documents exist.

### ***If the Requested Documents existed, would they contain personal information?***

19. Yes, for the reasons that follow.
20. '*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*'.
21. As noted in paragraph 13 above, the Narrowed Application sought documents '*initiated or received*' by 11 nominated individuals, which contain '*information that criticise, complain, compliment or otherwise make reference*' to the applicant during a six month period while he held a particular government position. Based on the terms of the

<sup>14</sup> The timeframe nominated for this request was '*14 June 2020 to 14 December 2020*'.

<sup>15</sup> External Review Application.

<sup>16</sup> From the applicant's submissions, it appears that this submitted awareness stems from the applicant's conversations with various QCS staff, however, the applicant's submissions contain no independent evidence of these referenced conversations or the existence of the Requested Documents.

Narrowed Application, the Requested Documents would, if they existed, contain information which:

- identifies, or is about, the applicant
- identifies, or is about, individuals other than the applicant; and
- records the observations, opinions and views of individuals other than the applicant.

22. On this basis, I am satisfied that the Requested Documents, if they existed, would contain personal information, including the personal information of individuals other than the applicant.

***If the Requested Documents existed, would disclosing the personal information, on balance, be contrary to the public interest?***

23. Yes, for the reasons that follow.

24. The term '*public interest*' refers to considerations affecting the good order and functioning of the community and government affairs for the well-being of citizens. This means that, in general, a public interest consideration is one which is common to all members of, or a substantial segment of the community, as distinct from matters that concern purely private or personal interests.<sup>17</sup>

25. The RTI Act identifies various factors that may be relevant to deciding the balance of the public interest<sup>18</sup> and requires a decision-maker (when deciding whether disclosure of information would, on balance, be contrary to the public interest), to:<sup>19</sup>

- identify any irrelevant factors and disregard them
- identify relevant public interest factors favouring disclosure and nondisclosure
- balance the relevant factors favouring disclosure and nondisclosure; and
- decide whether disclosure of the information in issue would, on balance, be contrary to the public interest.

26. I do not consider any irrelevant factors arise in this case and I have not taken any irrelevant factors<sup>20</sup> into account in making my decision.

**Factors favouring disclosure**

27. The applicant has raised concerns about workplace decisions made about him. He generally considers that, in not being provided with details of allegations made about him, he has been denied a right of reply and relevant QCS procedures may not have been followed. The applicant contends that the factors in schedule 4, part 2, items 5, 6, 7, 10, 12 and 16 of the RTI Act apply to favour disclosure and, more specifically, submitted that:

- although no official findings were made or action taken, he believes allegations within the Requested Documents were accepted and disseminated, and have negatively impacted '*his personal and professional reputation*', the perception of

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<sup>17</sup> However, there are some recognised public interest considerations that may apply for the benefit of an individual.

<sup>18</sup> Schedule 4 of the RTI Act lists factors that may be relevant when deciding whether disclosure of information would, on balance, be contrary to the public interest.

<sup>19</sup> Section 49 of the RTI Act.

<sup>20</sup> Including those identified in schedule 4, part 1 of the RTI Act.

his work capabilities, and were used as the basis for his removal from a work position<sup>21</sup>

- he considers the content of allegations within the Requested Documents are '*potentially erroneous*',<sup>22</sup> or can be characterised as deliberately misleading and unfairly subjective,<sup>23</sup> and he seeks disclosure to confirm this
- he was never '*made aware of the specific details or allegations*' and was never afforded '*natural justice through a right of reply*'<sup>24</sup>
- he has been denied procedural fairness, when he should have been afforded it;<sup>25</sup> and
- he requires access to the Requested Documents '*to substantiate any possible further claim or complaint in a legal forum*'.<sup>26</sup>

28. As noted in paragraph 21 above, given the terms of the Narrowed Application, if the Requested Documents existed, they would contain information which identifies, or is about, the applicant. This gives rise to a factor favouring disclosure,<sup>27</sup> which is deserving of significant weight. However, the applicant's request is to access other individuals' observations, opinions and views about him and, on external review, the applicant's submissions indicate he is particularly interested in accessing allegations or complaints he believes others have made against him. It is therefore reasonable to expect that, if the Requested Documents existed, the applicant's personal information within them would appear in a manner that is intertwined with the personal information of other individuals, meaning disclosure of the applicant's personal information would also involve the disclosure of other individuals' personal information (giving rise to factors favouring nondisclosure discussed below).

29. Under the RTI Act, public interest factors favouring disclosure will arise where disclosure could reasonably be expected to:

- allow or assist inquiry into possible deficiencies in the conduct or administration of an agency or official<sup>28</sup>
- reveal or substantiate that an agency or official has engaged in misconduct or negligent, improper or unlawful conduct<sup>29</sup>
- advance the fair treatment of individuals in accordance with the law in their dealings with agencies<sup>30</sup>
- reveal that the information is incorrect, out of date, misleading, gratuitous, unfairly subjective or irrelevant<sup>31</sup>
- contribute to the administration of justice generally, including procedural fairness;<sup>32</sup> and
- contribute to the administration of justice for a person.<sup>33</sup>

<sup>21</sup> External Review Application and submission dated 11 October 2024. The applicant has provided no further detail, or supporting evidence, of these claimed impacts.

<sup>22</sup> External Review Application and submission dated 11 October 2024.

<sup>23</sup> Applicant's submission dated 11 October 2024.

<sup>24</sup> External Review Application.

<sup>25</sup> Applicant's submission dated 11 October 2024.

<sup>26</sup> Applicant's submission dated 11 October 2024.

<sup>27</sup> Schedule 4, part 2, item 7 of the RTI Act.

<sup>28</sup> Schedule 4, part 2, item 5 of the RTI Act.

<sup>29</sup> Schedule 4, part 2, item 6 of the RTI Act.

<sup>30</sup> Schedule 4, part 2, item 10 of the RTI Act.

<sup>31</sup> Schedule 4, part 2, item 12 of the RTI Act.

<sup>32</sup> Schedule 4, part 2, item 16 of the RTI Act.

<sup>33</sup> Schedule 4, part 2, item 17 of the RTI Act. In determining whether this factor applies, I must consider whether: (i) the applicant has suffered loss, or damage, or some kind of wrong, in respect of which a remedy is, or may be, available under the law; (ii) the applicant has a reasonable basis for seeking to pursue the remedy; and (iii) disclosing the particular requested information would assist the applicant to pursue the remedy or evaluate whether a remedy is available or worth pursuing (*Willsford and Brisbane City Council* (1996) 3 QAR 368 at [17] and confirmed in *10S3KF and Department of Community Safety* (Unreported, Queensland Information Commissioner, 16 December 2011) at [16] and recently in *V43 and the Council of the City of Gold Coast; X20 (Third Party)* [2024] QICmr 43 (19 September 2024) at [17]).

30. As I have noted above, the applicant has requested documents which record other individuals' observations, opinions and views about him. I have also reviewed the relevant QCS internal policy documents<sup>34</sup> and note that they identify what is required for a workplace conduct complaint to be accepted and the circumstances in which a decision to take no further action can be made. Having carefully considered the information before me (including the parties' submissions) and taking the nature of the Requested Documents into account, I do not consider that disclosure of the Requested Documents, if they existed, could reasonably be expected to allow or assist, reveal or substantiate, conduct deficiencies by QCS or its staff. For this reason, I do not consider that these public interest factors<sup>35</sup> apply. As these factors generally concern government accountability, for completeness, I have also considered the other factors in schedule 4, part 2 of the RTI Act which concern government accountability and transparency<sup>36</sup> (which were not raised by the applicant). Based on the terms of the Narrowed Application and noting that the applicant confirmed there are no official findings made, or actions taken, against him, I am not satisfied that these further factors concerning government accountability and transparency would apply.
31. The Narrowed Application essentially sought records of other individuals' opinions (both positive and negative) about the applicant. Information of that nature will have been shaped by the relevant individual's observations, perceptions and versions of events, which are in turn shaped by factors such as the individual's memories of relevant events and subjective impressions. This inherent subjectivity does not mean that the information is necessarily '*erroneous*'<sup>37</sup>. Noting the nature of the Requested Documents, I am satisfied that, to the extent the factor in schedule 4, part 2, item 12 of the RTI Act may apply if the Requested Documents existed, it deserves only low weight.
32. I acknowledge the applicant's belief that, based upon various conversations he has had, certain staff allegations were used as the basis for his removal from a work position and have otherwise negatively impacted his employment. However, he has provided no evidence in support of these submissions. Nor has he explained how the Requested Documents, if they existed, would be required to evaluate or pursue a particular remedy.<sup>38</sup> As there is no evidence before me to indicate that disclosure of the Requested Documents, if they existed, is required to enable the applicant to pursue a remedy, or evaluate whether a remedy is available or worth pursuing, I am not satisfied that this factor favouring disclosure<sup>39</sup> would apply, if the Requested Documents existed.
33. As the request in the Narrowed Application is not limited to documents recording criticisms or complaints, it is reasonable to conclude that, if the Requested Documents existed, the public interest factors concerning fair treatment,<sup>40</sup> and procedural fairness,<sup>41</sup> would not apply to all of them. While the applicant has referred to his entitlement to receive information under internal QCS policies and procedures, any such entitlement is separate to the right of access under the IP Act and does not equate to an entitlement to

<sup>34</sup> These were provided by QCS with its submission dated 7 November 2024. QCS also confirmed that these policy documents were only available to QCS staff (via its intranet) and, for that reason, I have not provided further details of them in this decision.

<sup>35</sup> Schedule 4, part 2, items 5 and 6 of the RTI Act.

<sup>36</sup> Schedule 4, part 2, items 1, 3 and 11 of the RTI Act.

<sup>37</sup> *Marshall and Department of Police* (Unreported, Queensland Information Commissioner, 25 February 2011) at [15]-[20] and *Brodsky and Gympie Regional Council* [2014] QICmr 17 (2 May 2014) at [32].

<sup>38</sup> In his submission dated 11 October 2024, the applicant did refer to '*future potential legal action (in the Queensland Industrial Relations Court or similar)*'.

<sup>39</sup> Schedule 4, part 2, item 17 of the RTI Act.

<sup>40</sup> Schedule 4, part 2, item 10 of the RTI Act.

<sup>41</sup> Schedule 4, part 2, item 16 of the RTI Act.

receive documents in response to the Narrowed Application.<sup>42</sup> Further, as I have noted above, relevant internal QCS policies identify where a decision to take no further action can be made about a workplace conduct complaint. Although the applicant perceives that he has not been afforded due process and the undisclosed opinions of others have negatively impacted him, he has also confirmed that no official findings were made, and no official actions were taken, against him. In all these circumstances, I consider that, to the extent these factors concerning fair treatment and procedural fairness apply, they are deserving of only low weight.

34. Taking into account the particular nature of the Requested Documents and the circumstances of this matter, I cannot identify any other public interest considerations that would favour disclosure, if the Requested Documents existed.<sup>43</sup>

### Factors favouring nondisclosure

35. The RTI Act recognises that there is a public interest harm<sup>44</sup> in disclosing an individual's personal information to another and that disclosing information which could reasonably be expected to prejudice the protection of an individual's right to privacy gives rise to a public interest factor favouring nondisclosure.<sup>45</sup> The concept of '*privacy*' is not defined in 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.<sup>46</sup>
36. It is QCS' position that, if the Requested Documents were to exist, these factors apply. The applicant submitted that any personal statement expressed formally, or in a workplace context, '*becomes something more than simply personal information*' and should be treated as an '*official record*'.<sup>47</sup> He also does not accept there is any need for '*protective anonymity*'.<sup>48</sup>
37. While personal information appearing in a workplace context may be contained in documents which form public records, if the information meets the definition of personal information in the IP Act,<sup>49</sup> the public interest harm factor in schedule 4, part 4, section 6 of the RTI Act applies. As I have found above that the Requested Documents, if they existed, would contain personal information of individuals other than the applicant, this factor applies. As to the weight to be afforded to it, while such personal information would appear in a work context, it would not be wholly related to the routine day-to-day work activities of these individuals. Based on the terms of the Narrowed Application, the Requested Documents, if they existed, would contain personal information of a sensitive nature.<sup>50</sup> I also note that there is no restriction placed upon the use, dissemination or publication of information which is disclosed under the IP Act. In these circumstances and given the subject matter of the applicant's request, I am satisfied the extent of the

<sup>42</sup> As observed by Judicial Member DJ McGill SC in *Deemal-Hall v Office of the Director of Public Prosecutions* [2024] QCATA 131 at [16], the mere fact that certain information was properly disclosable under a separate process does not necessarily mean that all of that the information will be properly subject to disclosure under the different provisions of the IP Act.

<sup>43</sup> Having carefully considered all factors listed in schedule 4, part 2 of the RTI Act, I cannot see how disclosing the Requested Documents, if they existed, could, for example, contribute to positive and informed debate on important issues or matters of serious interest (schedule 4, part 2, item 2 of the RTI Act); ensure oversight of expenditure of public funds (schedule 4, part 2, item 4 of the RTI Act); or contribute to the maintenance of peace and order or the enforcement of the criminal law (schedule 4, part 2, items 15 and 18 of the RTI Act). In the event that further relevant factors exist in favour of disclosure, I am satisfied that there is no evidence before me to suggest that any would carry sufficient weight to outweigh the significant weight that I have afforded to the public interest factors that favour the nondisclosure of the Requested Documents, if they existed.

<sup>44</sup> Schedule 4, part 4, section 6 of the RTI Act.

<sup>45</sup> Schedule 4, part 3, item 3 of the RTI Act.

<sup>46</sup> 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 12 August 2008, at paragraph 1.56.

<sup>47</sup> Applicant's submission dated 11 October 2024.

<sup>48</sup> Applicant's submission dated 11 October 2024.

<sup>49</sup> As set out in paragraph 20 above.

<sup>50</sup> Refer to *BFU12E and Metro North Hospital and Health Service* [2015] QICmr 21 (31 August 2015) at [29]-[31] and *F60XCX and Department of Natural Resources and Mines* [2017] QICmr 19 (9 June 2017) at [118]-[120].

harm that would arise from disclosure of the Requested Documents, if they existed, would be significant. I am also satisfied that, given the sensitive nature of the information requested in the Narrowed Application, disclosure of the Requested Documents (if they existed) would be a significant intrusion into the privacy of these other individuals.<sup>51</sup> On this basis, I afford these nondisclosure factors<sup>52</sup> significant weight.

38. The applicant argued that privacy considerations could be addressed by '*redacting or removing the names or other identifying material*'.<sup>53</sup> Taking into account the terms of the Narrowed Application (which nominated 11 individuals) and the size of the relevant QCS business unit at the relevant time, I do not consider the redactions proposed by the applicant would serve in any meaningful way to reduce the prejudice or harm that could reasonably be expected to arise from disclosure of the Requested Documents, if they existed.
39. The RTI Act also recognises that a public interest harm can result from the disclosure of information that could have a substantial adverse effect on the management or assessment by an agency of its staff.<sup>54</sup> A public interest factor favouring nondisclosure will also arise where disclosing information could reasonably be expected to prejudice the management function of an agency or the conduct of industrial relations by an agency.<sup>55</sup>
40. As noted above, if the Requested Documents existed, they would include sensitive personal information of individuals other than the applicant, recorded in a workplace context. Agencies such as QCS must be able to consider and discuss such sensitive matters discretely and ensure that disclosure of information does not unduly impact its ongoing employment relationship with its staff. In this context, I consider that disclosing the Requested Documents (if they existed) under the IP Act (where there can be no restriction on its use, dissemination or publication) could discourage individuals from coming forward with relevant information or participating in formal workplace investigation processes. I am satisfied that this would have a substantial and negative impact on QCS' ability to manage its staff in relation to workplace conduct matters. Accordingly, I afford significant weight to these factors favouring nondisclosure.<sup>56</sup>

### **Balancing the public interest**

41. Taking into account the way in which the applicant has sought the Requested Documents, I consider that, if the Requested Documents existed:
  - there is a significant public interest in the applicant accessing his personal information<sup>57</sup>
  - public interest considerations relating to fair treatment, the general administration of justice and revealing information to be incorrect, misleading or unfairly subjective<sup>58</sup> are deserving of only low weight; and
  - the public interest factors relating to protecting the personal information and right to privacy of other individuals, and protecting an agency's ability to manage its staff, are each deserving of significant weight.<sup>59</sup>

<sup>51</sup> Thereby prejudicing their right to privacy.

<sup>52</sup> Schedule 4, part 3, item 3 and schedule 4, part 4, section 6 of the RTI Act.

<sup>53</sup> External Review Application.

<sup>54</sup> Schedule 4, part 4, section 3(c) of the RTI Act.

<sup>55</sup> Schedule 4, part 3, item 19 of the RTI Act.

<sup>56</sup> Schedule 4, part 3, item 19 and schedule 4, part 4, section 3(c) of the RTI Act.

<sup>57</sup> Schedule 4, part 2, item 7 of the RTI Act.

<sup>58</sup> Schedule 4, part 2, item 10, 12 and 16 of the RTI Act.

<sup>59</sup> Schedule 4, part 3, items 3 and 19 and schedule 4, part 4, sections 3(c) and 6 of the RTI Act.



42. On balance, I am satisfied that, if the Requested Documents existed, the public interest factors favouring their nondisclosure would outweigh those favouring their disclosure. As such, I find that, if the Requested Documents existed, they would contain personal information, the disclosure of which would, on balance, be contrary to the public interest.

### **Conclusion**

43. Given the specific wording of Narrowed Application, I am satisfied that if the Requested Documents existed, they would contain prescribed information, namely, personal information the disclosure of which would, on balance, be contrary to the public interest.

### **DECISION**

44. For the reasons set out above, I affirm QCS' decision and find that QCS was entitled to neither confirm nor deny the existence of the Requested Documents under section 69 of the IP Act.
45. I have made this decision as a delegate of the Information Commissioner, under section 139 of the IP Act.

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**T Lake**  
**Principal Review Officer**

**Date: 28 February 2025**

## APPENDIX

### Significant procedural steps

Date	Event
17 April 2024	OIC received the applicant's external review application.
6 June 2024	OIC notified the applicant and QCS that the application for external review had been accepted and requested a submission from QCS concerning its decision.
1 August 2024	OIC received QCS' submission.
30 September 2024	OIC conveyed a preliminary view to the applicant and invited the applicant to provide a submission if he wished to contest that preliminary view.
11 October 2024	OIC received the applicant's submission, contesting the preliminary view and requesting that a formal decision be issued to finalise the external review.
23 October 2024	OIC asked QCS to provide further information.
7 November 2024	OIC received the requested information from QCS.
17 December 2024	OIC wrote to the applicant to reiterate the preliminary view and confirm that a formal decision would be issued to finalise the external review.