



Decision and Reasons for Decision

Citation:	<i>U14 and Queensland Police Service</i> [2025] QICmr 76 (22 October 2025)
Application Number:	318307
Applicant:	U14
Respondent:	Queensland Police Service
Decision Date:	22 October 2025
Catchwords:	ADMINISTRATIVE LAW - RIGHT TO INFORMATION - IRRELEVANT INFORMATION - whether information may be deleted on the basis that it is irrelevant to the terms of the application - section 73 of the <i>Right to Information Act 2009</i> (Qld) ADMINISTRATIVE LAW - RIGHT TO INFORMATION - EXEMPT INFORMATION - LAW ENFORCEMENT AND PUBLIC SAFETY INFORMATION - whether disclosing information could reasonably be expected to prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law - schedule 3, section 10(1)(f) of the <i>Right to Information Act 2009</i> (Qld) ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - CONTRARY TO PUBLIC INTEREST INFORMATION - whether disclosure would, on balance, be contrary to the public interest - sections 47(3)(b) and 49 of the <i>Right to Information Act 2009</i> (Qld)

REASONS FOR DECISION

Summary

1. The applicant applied to the Queensland Police Service (**QPS**) under the *Right to Information Act 2009* (Qld) (**RTI Act**)¹ for access to all documents related to three QPS occurrence reports² within a specified timeframe.³

¹ On 1 July 2025 key parts of the *Information Privacy and Other Legislation Amendment Act 2023* (Qld) came into force, effecting significant changes to the RTI Act. In accordance with the transitional provisions in Chapter 7 Part 9 of the RTI Act, particularly section 206K of the RTI Act, references in this decision are to the RTI Act as in force prior to 1 July 2025.

² An 'occurrence report' contains details relating to the investigation of a matter and is held within QPS's primary electronic database, the Queensland Police Records and Information Management Exchange (**QPRIME**).

³ Access application dated 5 September 2024.

2. QPS located 159 pages and three audio recordings responsive to the application. QPS decided to refuse access in full to 35 pages and two audio files, and refuse access to parts of 107 pages and one audio file on the basis the information comprised either exempt information or contrary to public interest information.⁴ QPS also deleted a small portion of information from one page on the basis it was irrelevant to the scope of the access application.⁵ QPS disclosed the remaining information to the applicant.⁶
3. The applicant applied to the Office of the Information Commissioner (**OIC**) for external review of QPS's decision.⁷ In his application, the applicant submitted it is his '*lawful right to receive all material, otherwise, it is a breach of natural justice and my human rights.*' During the review, QPS submitted⁸ that the information it had decided to refuse on the basis it comprised exempt information was, rather, contrary to the public interest to disclose and the applicant provided⁹ further submissions in support of his contentions that access to the refused information should be granted.
4. While the RTI Act prevents me from describing exempt information or contrary to public interest information in any detail,¹⁰ the documents located by QPS related to the occurrence reports can generally be described as:
 - i) email communications and an audio recording of a call with the applicant
 - ii) internal QPS email communications; and
 - iii) email communications, two audio recordings of calls, statements and other information provided to QPS by complainant/s and/or witnesses.
5. While the documents at iii) have not been disclosed to the applicant, the documents at i) and ii) have been disclosed to the applicant, either in full or subject to the deletion of irrelevant information or information QPS decided was exempt or contrary to public interest information.
6. Based on the information available to me, I find that access to some, but not all, of the information which QPS had decided to refuse on the basis it comprises exempt information should rather be refused on the basis that disclosure is, on balance, contrary to the public interest. Accordingly, for the reasons set out below, I have decided to vary QPS's decision by finding that:
 - details relating to general employment matters of QPS employees (**Irrelevant Information**)¹¹ may be deleted from the copy of the documents disclosed to the applicant on the basis it is not relevant to the access application¹²
 - access to details of QPS's investigative methods and procedures (**Process Information**)¹³ may be refused on the basis it comprises exempt information;¹⁴ and
 - access to identifying information of third parties, including names, direct contact details of QPS officers, addresses and information provided by complainant/s

⁴ Decision dated 25 October 2025. This is the *reviewable decision* for this purpose of this review.

⁵ This page also contains information to which access was refused on the basis it comprises contrary to public interest information.

⁶ Comprising 17 pages in full, the remaining parts of the 107 pages and the audio file to which access was partially refused.

⁷ External review application dated 10 November 2025.

⁸ Submission dated 11 December 2024.

⁹ Submissions dated 31 August 2025.

¹⁰ Section 108(3) of the RTI Act.

¹¹ Comprising part of page 93 of File02.

¹² Under section 73 of the RTI Act.

¹³ Comprising parts of pages 22-23, 27 and 35 of File01 and part of page 82 of File02.

¹⁴ Under section 47(3)(a) and schedule 3, section 10(1)(f) of the RTI Act.

and/or witnesses to QPS (**Third-party Information**)¹⁵ may be refused on the basis that disclosure would, on balance, be contrary to the public interest.¹⁶

7. In making this decision, I have considered evidence, submissions, legislation and other material set out in these reasons (including footnotes).
8. I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to freedom of expression,¹⁷ which includes the right to seek and receive information. I consider a decision-maker will be acting compatibly with this right when applying the law prescribed in the RTI Act and, therefore, I have acted in accordance with section 58(1) of the HR Act.

Irrelevant information

Relevant law

9. An agency may delete information from a document which is irrelevant to the scope of an access application before releasing that document to the applicant.¹⁸ This provision does not set out a ground for refusal of access. Rather, it provides a mechanism to allow irrelevant information to be deleted from documents which are identified for release to an applicant. In deciding whether information is irrelevant, it is necessary to consider whether the information has any bearing upon, or is pertinent to, the terms of the application.¹⁹

Findings

10. I have carefully considered the Irrelevant Information and am satisfied it comprises details of general employment matters of QPS employees. Given the Irrelevant Information in no way relates to the applicant or the three occurrence reports the subject of the access application, it clearly falls outside the terms of the application. I therefore find that the Irrelevant Information can be deleted from the copy of the documents released to the applicant.²⁰

Process Information

Relevant law

11. The RTI Act provides individuals with a general right to access documents held by a Queensland government agency, subject to certain limitations, including grounds for refusing access.²¹
12. Relevantly, access to information may be refused where it comprises exempt information²² the disclosure of which could reasonably be expected to prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or

¹⁵ Comprising pages 42-65 and parts of pages 1-8, 12, 17-41 of File01; pages 9 and 83-92 and parts of pages 1-6, 8, 10-22, 24, 26-35, 38-45, 48-69, 71-72, 74-78, 80-82 and 93-94 of File02; parts of the audio recording identified as File03; and the whole audio recordings identified as File04 and File05.

¹⁶ Under section 47(3)(b) of the RTI Act.

¹⁷ Section 21 of the HR Act.

¹⁸ Section 73 of the RTI Act.

¹⁹ *O80PCE and Department of Education and Training* (Unreported, Queensland Information Commissioner, 15 February 2010) at [52].

²⁰ Under section 73 of the RTI Act.

²¹ Section 23 of the RTI Act. Section 47 sets out the grounds on which access to information may be refused.

²² Schedule 3 to the RTI Act identifies the types of information which are exempt from disclosure. Section 48(2) of the RTI Act confirm that these are the categories of information which Parliament has determined would, on balance, be contrary to the public interest to disclose.

dealing with a contravention or possible contravention of the law (**Lawful Method or Procedure Exemption**).²³

13. When applying the Lawful Method or Procedure Exemption, I must be satisfied that:²⁴

- the method or procedure exists, is identifiable and is for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law; and
- disclosure of the relevant information could reasonably be expected to reduce effectiveness or usefulness of that method or procedure.

14. Schedule 3, section 10(2) sets out certain circumstances where the Lawful Method or Procedure Exemption will not apply.²⁵

Submissions

15. QPS's decision stated:²⁶

Some of the document in question contains information relating to lawful investigative methods and procedures of the QPS. I have determined that the release of this information could reasonably be expected to prejudice such methods and procedures.

16. During the review, QPS submitted²⁷ that access to the information refused on this basis within the decision²⁸ comprised 'private information of an individual, particularly in this instance, shared material of both the applicant and another identifiable involved individual' and therefore access should be refused on that basis, rather than as exempt information.

17. OIC conveyed a preliminary view²⁹ to the applicant that access to the Process Information could be refused on the basis it comprised exempt information. The applicant's submissions in response are, in summary:³⁰

- QPS cannot rely on the exemption as 'the underlying investigations were not lawful'
- as the HR Act guarantees 'equal protection before the law (s15)', 'a fair hearing (s31)' and 'protection against discrimination (ss15,58)', 'OIC must interpret statutes consistently with these rights (s48)'
- the High Court 'has repeatedly affirmed the common law obligation of natural justice ... Where a person is subject to allegations, they must be given notice and opportunity to respond'; and

²³ Schedule 3, section 10(1)(f) of the RTI Act.

²⁴ *Harris and Queensland Police Service* QICmr 10 (18 March 2014) and *T and Department of Health* (1994) 1 QAR 386.

²⁵ Schedule 3, section 10(2) provides that information is not exempt information under schedule 3, section 10(1) 'if it consists of:
(a) matter revealing that the scope of a law enforcement investigation has exceeded the limits imposed by law; or
(b) matter containing a general outline of the structure of a program adopted by an agency for dealing with a contravention or possible contravention of the law; or
(c) a report on the degree of success achieved in a program adopted by an agency for dealing with a contravention or possible contravention of the law; or
(d) a report prepared in the course of a routine law enforcement inspection or investigation by an agency whose functions include that of enforcing the law (other than the criminal law or the law relating to corruption under the Crime and Corruption Act 2001; or
(e) a report on a law enforcement investigation that has already been disclosed to the entity the subject of the investigation.'

²⁶ At page 2.

²⁷ Submission dated 11 December 2024.

²⁸ Comprising parts of pages 22-23, 27, 32 and 34-35 of File01 and parts of pages 82 and 93 of File02.

²⁹ Letter dated 20 June 2025.

³⁰ Submissions dated 31 August 2025.

- *'Any exemption decision which sustains secrecy over unlawful actions, contrary to natural justice and human rights, is itself ultra vires.'*

Findings

18. I have considered the Process Information. While the RTI Act limits the level of detail I can provide,³¹ broadly speaking it includes information that QPS obtained, assessed or identified during its investigation activities regarding the three occurrence reports.
19. Some, but not all, of the information QPS decided was exempt does comprise the personal information³² of another individual, as submitted by QPS.³³ I am satisfied that the Process Information does not comprise the personal information of another individual as no other individual's identity is apparent, or reasonably ascertainable, from this information.³⁴
20. Given the responsibilities of QPS include preventing and detecting crime,³⁵ I am satisfied that the method or procedure of collecting information during an investigation about criminal activity or suspected criminal activity is a method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law. Accordingly, I am satisfied that the Process Information reveals identifiable methods or procedures used by QPS.
21. To fulfil its role of preventing and detecting crime, QPS collects information about criminal activity or suspected criminal activity. At the time of collecting the information, the person to whom it relates has not necessarily committed an offence and the use to which the information may be put will not necessarily be fully realised. Premature release of such information could have a prejudicial effect on the usefulness of the information. In addition, the disclosure of information collected by QPS could result in the use of that information by third parties to further criminal activity and subvert the proper operation of the law.³⁶ Accordingly, I am satisfied that disclosure of the Process Information could reasonably be expected to reduce effectiveness or usefulness of the identifiable methods or procedures.
22. Given the applicant's submissions, summarised at paragraph 17, I have considered whether the exception to the Lawful Method or Procedure Exemption in schedule 3, section 10(2)(a) of the RTI Act applies. The exception provides that information will not be exempt if it consists of a matter revealing that the scope of a law enforcement investigation has exceeded the limits imposed by law.
23. As set out in previous decisions of the Information Commissioner,³⁷ for the exception to apply, the requested information must consist of material that objectively and authoritatively reveals that the scope of a law enforcement investigation has exceeded the limits imposed by law. Having considered the Process Information, this information

³¹ Section 108(3) of the RTI Act.

³² 'Personal information' is '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' – see definition in schedule 5 of the RTI Act and section 12 of the IP Act.

³³ See submission summarised at paragraph 16.

³⁴ Information which QPS had identified in its decision as exempt information that does not form part of the Process Information, and which does comprise the personal information of another individual, forms part of the Third-party Information, which I discuss below under the heading 'Third-party Information'.

³⁵ See *Police Service Administration Act 1990* (Qld).

³⁶ See *The Gold Coast Bulletin and Department of Police* (Unreported, Queensland Information Commissioner 23 December 2010) at paragraph [24] where the Right to Information Commissioner found that disclosing police rosters could result in the use of the information by third parties to further criminal activity and subvert the proper operation of the law.

³⁷ See *Isles and Queensland Police Service* [2017] QICmr 1 (12 January 2017) at [21] and *Flori and Queensland Police Service* [2017] QICmr 5 (16 February 2017) at [25].

alone (or together with any information currently before me) does not reveal in any authoritative manner that any particular investigation was unauthorised, or that the scope of a law enforcement investigation has exceeded the limits imposed by law in any other way. At its highest, the Process Information may amount to untested evidence concerning suspected criminal activity.

24. I acknowledge the applicant has concerns about the conduct of QPS officers in relation to the investigation regarding the three occurrence reports. However, it is the *requested material* itself which must reveal that the scope of a law enforcement investigation has exceeded the limits imposed by law for the exception to apply. In this case, I do not consider the Process Information reveals evidence of an investigation having exceeded its limits. Accordingly, I am satisfied that on the evidence available to OIC, including the Process Information, the exception to the Lawful Method or Procedure Exemption in schedule 3, section 10(2)(a) of the RTI Act is not made out.³⁸
25. For the above reasons, I find that the Process Information comprises exempt information under section 48 and schedule 3, section 10(1)(f) of the RTI Act and access to this information may therefore be refused under section 47(3)(a) of the RTI Act.

Third-party Information

Relevant law

26. Access to information may also be refused where its disclosure would, on balance, be contrary to the public interest.³⁹ 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. However, there are some recognised public interest considerations that may apply for the benefit of an individual.⁴⁰
27. In deciding whether disclosure of information would, on balance, be contrary to the public interest, section 49 of the RTI Act sets out the process a decision-maker must take, namely:
 - 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 would, on balance, be contrary to the public interest.
28. Schedule 4 of the RTI Act contains non-exhaustive lists of factors that may be relevant in determining where the balance of public interest lies. I have considered these factors, together with other relevant information and discuss my findings below. I have also kept in mind the pro-disclosure bias of the RTI Act and that the refusal grounds are to be interpreted narrowly.⁴¹

³⁸ There is no evidence available to OIC to indicate that any other exceptions in schedule 3, section 10(2) of the RTI Act apply.

³⁹ Sections 47(3)(b) and 49 of the RTI Act.

⁴⁰ Chris Wheeler, 'The Public Interest: We Know It's Important, But Do We Know What It Means' (2006) 48 AIAL Forum 12, 14.

⁴¹ Section 47(2)(a) of the RTI Act.

Submissions

29. OIC conveyed a preliminary view⁴² to the applicant that access to the Third-party Information may be refused as disclosure is, on balance, contrary to the public interest. The applicant's submissions in response are, in summary:⁴³
- fairness requires that the identity of accusers and the content of adverse material be disclosed to him
 - people who lodge complaints *'with police cannot expect anonymity in circumstances where their allegations may expose another to criminal sanction'*
 - complainants remaining anonymous *'undermines adversarial fairness and natural justice'*
 - the privacy arguments made by QPS must yield to the principle *'that open justice and transparency are fundamental to accountability in criminal processes'*
 - the public interest balancing test *'cannot ignore systemic illegality or abuse of process'*
 - where *'allegations are false, vexatious or constitute abuse of process, the public interest lies in exposing them'* and *'transparency in police conduct is paramount in maintaining public confidence'*; and
 - senior QPS officers have *'acknowledged abuse of process'* in relation to the matters about the applicant and *'supervisory clearance for future complaints'* demonstrating *'disclosure is necessary to ensure accountability.'*

Findings

Irrelevant factors

30. I have not taken any irrelevant public interest factors into account in making this decision.⁴⁴

Factors favouring disclosure

31. QPS must be transparent and accountable about how it investigates, and deals with, complaints made by members of the public. The Third-party Information appears within the context of QPS's investigation of allegations made by a member of the public and I am satisfied that several pro-disclosure factors relevant to enhancing QPS's transparency⁴⁵ arise in this case, as discussed below.
32. The Third-party Information relates to the investigation of allegations made about the applicant and comprises communications with, and the personal information of, the complainant and other individuals. I accept that disclosing this type of information would advance the relevant public interest factors to some degree as it would provide the applicant with further insight into the nature and extent of information that was before QPS for the purpose of making decisions in connection with the allegations.
33. However, I have also taken into account the information that QPS has already disclosed to the applicant. I am satisfied that its disclosure has served to discharge the relevant public interest factors by providing a moderate level of transparency to QPS's processes and generally outlining how QPS dealt with the allegations. For these reasons, I consider

⁴² Letter dated 20 June 2025.

⁴³ Submissions dated 31 August 2025.

⁴⁴ I have taken none of the irrelevant factors identified in schedule 4, part 1 of the RTI Act into account.

⁴⁵ Schedule 4, part 2, items 1, 3 and 11 of the RTI Act.

the weight to be afforded to these factors as they relate to the particular information is reduced to low.

34. The applicant's personal information inevitably appears within some of the Third-party Information as it relates to allegations made against him. I acknowledge the importance of providing individuals with access to their personal information held by government and particularly in relation to allegations of wrong doing.⁴⁶ While this factor favouring disclosure is generally afforded significant weight, in the circumstances of this matter, those portions of the applicant's personal information are so closely intertwined with the personal information of other people, that, in my view, they cannot be disclosed without also disclosing the personal information of those other people. I discuss this further below, at paragraphs 39 to 41.
35. The public interest will also favour disclosure where it could reasonably be expected to allow or assist inquiry into possible deficiencies in the conduct of an agency.⁴⁷ The threshold for establishing that this factor applies has previously been recognised by the Information Commissioner as low.⁴⁸ In my view, disclosure of the Third-party Information would, to some degree, allow or assist inquiry into *possible* deficiencies in how QPS responds to, and deals with, complaints made by members of the public. I therefore afford this factor moderate weight.
36. The applicant's submissions also raise factors favouring disclosure regarding advancing his fair treatment in his dealings with QPS and contributing to the administration of justice, including procedural fairness.⁴⁹ Natural justice refers to the common law requirement to act fairly in the making of administrative decisions which affect a person's rights, interests or legitimate expectations. The fundamental requirements of procedural fairness—that is, an unbiased decision-maker and a fair hearing—should be afforded to a person who is the subject of a decision. The fair hearing aspect of procedural fairness requires that, before a decision that will deprive a person of some right, interest or legitimate expectation is made, the person is entitled to know the case against them and to be given the opportunity of replying to it.⁵⁰ Accordingly, the person must be provided with adequate information about material that is credible, relevant and significant to the adverse finding to be made, so that the person can be given the opportunity to make effective representations to the decision-maker.⁵¹
37. I understand it is the applicant's submission that procedural fairness requires that QPS provide him with the Third-party Information. However, the outcome of the QPS investigation regarding the three occurrence reports was that QPS determined the allegations to be unfounded, as they did not meet the threshold for a criminal offence.⁵² That is, there was no adverse finding against the applicant that could be construed as requiring QPS to inform the applicant of its intended finding and the material credible, relevant and significant to that finding. Moreover, given the criminal, rather than administrative, nature of the allegations considered by QPS during its investigation, had QPS made a decision adverse to the applicant, it would have most likely been in the form of criminal charges. During the ensuing processes and proceedings, the applicant would have been provided with the pertinent material as part of being given the opportunity to be heard and present his case to the relevant court.

⁴⁶ Schedule 4, part 2, item 7 of the RTI Act.

⁴⁷ Schedule 4, part 2, item 5 of the RTI Act.

⁴⁸ *L80 and Queensland Police Service* [2023] QICmr 28 (19 June 2023) at [32], applied in *E92 and Crime and Corruption Commission* [2024] QICmr 73 (19 December 2024) at [89].

⁴⁹ Schedule 4, part 2, items 10 and 17 of the RTI Act.

⁵⁰ *Kioa v West* (1985) 159 CLR 550 (*Kioa*) at 584.

⁵¹ *Kioa* at 629.

⁵² As evidenced at pages 7, 28 and 39 of File01.

38. Given the nature of the Third-party Information (i.e., communications with, and personal information of, the complainant and other individuals, rather than information about the way in which QPS managed the investigation of the allegations), and the approach taken by QPS in communicating with the applicant regarding the allegations, I am satisfied that disclosure of the Third-party Information will not further advance the applicant's fair treatment in his dealings with QPS, nor contribute to the administration of justice, to any significant degree. Therefore, I afford these factors low weight.

Factors favouring nondisclosure

39. The RTI Act recognises that disclosing an individual's personal information to someone else can reasonably be expected to cause a public interest harm.⁵³ Further, a factor favouring nondisclosure arises if disclosing information could reasonably be expected to prejudice the protection of an individual's right to privacy.⁵⁴
40. Generally, information relating to the day-to-day work duties and responsibilities of a public sector employee may be disclosed under the RTI Act, despite it falling within the definition of personal information. However, agency documents can also contain personal information of public sector employees which is not *routine* work information.⁵⁵ Some of the Third-party Information comprises the direct contact details of QPS officers. I accept that this information is employment related. However, given the role of QPS, it often deals with unreasonable behaviour from members of the public. In these circumstances, I afford the public interest in protecting the personal information and right to privacy of QPS officers moderate weight.
41. The remaining Third-party Information is about the complainant and/or witnesses. In my view, disclosing this Third-party Information, which appears in the context of QPS investigative records, would constitute a significant intrusion into the private sphere of the other individuals and the extent of the harm that could be expected to arise from its disclosure would be significant. On this basis, I afford significant weight to these factors favouring nondisclosure in relation to the Third-party Information about the complainants and/or witnesses.⁵⁶
42. A further factor favouring nondisclosure arises regarding the flow of information to QPS.⁵⁷ QPS needs to be able to obtain information from complainants and witnesses to enable them to properly investigate matters. If information were to be disclosed under the RTI Act process, where there is no ability to place constraints on the further dissemination of that information,⁵⁸ it is reasonable to conclude that this would prejudice QPS's ability to obtain that type of information in the future. Accordingly, I afford this factor significant weight.

Balancing the public interest

43. I have taken into account the pro-disclosure bias⁵⁹ and the factors favouring disclosure outlined above. I accept that the public interest in enhancing QPS's transparency and accountability, assisting inquiry into possible deficiencies, fair treatment in the applicant's

⁵³ Section 4, part 4, section 6(1) of the RTI Act.

⁵⁴ Schedule 4, part 3, item 3 of the RTI Act.

⁵⁵ *Underwood and Department of Housing and Public Works* (Unreported, Queensland Information Commissioner, 18 May 2012) at [60].

⁵⁶ Although the applicant may be aware of some of the Third-party Information, I do not consider this reduces the weight of these nondisclosure factors, particularly as there can be no restriction on the use, dissemination or republication of information disclosed under the RTI Act.

⁵⁷ Schedule 4, part 3, item 13 of the RTI Act.

⁵⁸ *FLK v Information Commissioner* [2021] QCATA 46 at [17].

⁵⁹ Section 44 of the RTI Act.

dealings with QPS, and the administration of justice are relevant in this case and support the applicant's right of access to the Third-party Information, but only to a low to moderate degree. The applicant gaining access to his own personal information is also relevant and supports the applicant's right of access to those portions of the Third-party Information to a significant degree.

44. However, I consider the public interest in protecting the personal information and privacy of other individuals, and safeguarding QPS's ability to obtain sensitive information regarding complaints from members of the public, carry higher weight so as to favour nondisclosure of the Third-party Information.
45. On balance, I am satisfied that the nondisclosure factors outweigh the disclosure factors and therefore, the Third-party Information would, on balance, be contrary to the public interest to disclose, and access to it may therefore be refused under section 47(3)(b) of the RTI Act.

DECISION

46. For the reasons set out above, I vary the reviewable decision⁶⁰ and find that:
- the Irrelevant Information may be deleted from the copy of the documents disclosed to the applicant under section 73 of the RTI Act on the basis it is not relevant to the access application
 - access to the Process Information may be refused under section 47(3)(a) and schedule 3, section 10(1)(f) of the RTI Act on the basis it comprises exempt information; and
 - access to the Third-party Information may be refused under section 47(3)(b) of the RTI Act on the basis that disclosure would, on balance, be contrary to the public interest.
47. I have made this decision under section 110 of the RTI Act as a delegate of the Information Commissioner, under section 145 of the RTI Act.



S Davis
Assistant Information Commissioner

Date: 22 October 2025

⁶⁰ Under section 110(1)(b) of the RTI Act.