



Decision and Reasons for Decision

Citation:	B15 and Queensland Police Service [2026] QICmr 105 (17 June 2026)
Application Number:	318892
Applicant:	B15
Respondent:	Queensland Police Service
Decision Date:	17 June 2026
Catchwords:	ADMINISTRATIVE LAW – RIGHT TO INFORMATION – EXEMPT INFORMATION – method or procedure for protecting public safety – schedule 3, section 10(1)(g) and section 47(3)(a) of the <i>Right to Information Act 2009</i> (Qld) ADMINISTRATIVE LAW – RIGHT TO INFORMATION – CONTRARY TO THE PUBLIC INTEREST – accountability and transparency – administration of justice – agency conduct – personal information and privacy of other individuals – public interest balancing test – section 47(3)(b) of the <i>Right to Information Act 2009</i> (Qld)

DECISION

1. I affirm¹ the reviewable decision² and find that access to Police Attendance Information³ may be refused under section 47(3)(a) of the *Right to Information Act 2009* (Qld) (**RTI Act**) and access to the Third Party Information⁴ may be refused under section 47(3)(b) of the RTI Act.
2. This means that no further information is to be released to the applicant.
3. Reasons for my decision follow.



Katie Shepherd
Assistant Information Commissioner

Date: 17 June 2026

¹ Under section 110(1)(a) of the *Right to Information Act 2009* (Qld) (**RTI Act**). I have made this decision as a delegate of the Information Commissioner under section 145 of the RTI Act.

² As defined in footnote 10 of these reasons.

³ As defined in paragraph 7 of these reasons.

⁴ As defined in paragraph 7 of these reasons.

REASONS FOR DECISION

Background

4. The applicant applied⁵ to Queensland Police Service (**QPS**) under the RTI Act⁶ for access to a range of information regarding his interactions with QPS, including call logs, audio recordings of emergency calls, body worn camera footage, QPRIME occurrence reports, and a specific QPS procedural document.⁷
5. QPS located relevant QPRIME documents, audio and video recordings, incident logs and the requested policy document. QPS decided⁸ to fully release 23 documents and 1 recording, partially release 13 documents, 3 audio recordings and 1 video recording and refuse access to certain information under section 47(3)(b) of the RTI Act. The applicant then sought internal review⁹ and QPS affirmed the original decision.¹⁰
6. The applicant applied¹¹ to Office of the Information Commissioner (**OIC**) for external review of QPS's decision. During the review, I conveyed a preliminary view to the applicant that QPS's internal review decision should be affirmed.¹² The applicant provided submissions to OIC in support of his case, arguing that the preliminary view *'fails to adequately weigh the compelling public interest in government accountability and the administration of justice for a victim of systemic abandonment'*.¹³

Refused information

7. The information to which access was refused by QPS falls into two categories:
 - a. information about QPS attendance at calls for service including prioritisation methods, call volumes, and number/type of incidents (**Police Attendance Information**);¹⁴ and
 - b. information that identifies, is about, or was provided by, other individuals to QPS (**Third Party Information**).¹⁵

⁵ 18 February 2025.

⁶ On 1 July 2025 key parts of the *Information Privacy and Other Legislation Amendment Act 2023* (Qld) (**IPOLA Act**) came into force, effecting changes to the RTI Act and *Information Privacy Act 2009* (Qld) (**IP Act**). As the application was made before this change, the RTI Act and IP Act as in force prior to 1 July 2025 remain applicable in accordance with transitional provisions which require that applications on foot before 1 July 2025 are to be dealt with as if the IPOLA Act had not been enacted; those Acts can be accessed at <<https://www.legislation.qld.gov.au/view/html/inforce/2024-12-31/act-2009-013>> and <<https://www.legislation.qld.gov.au/view/html/inforce/2024-12-31/act-2009-014>> respectively.

⁷ The scope was narrowed to these terms following consultation with the applicant by QPS under section 42 of the RTI Act.

⁸ 16 July 2025.

⁹ Application dated 26 July 2025.

¹⁰ Internal review decision dated 26 August 2025. This is the *reviewable decision* for the purposes of the review

¹¹ 8 September 2025.

¹² 19 February 2026.

¹³ Email to OIC dated 25 February 2026.

¹⁴ Appearing on pages 3 and 4 of a six page Incident Log dated 9 January 2025.

¹⁵ The remaining refused information within the located documents and recordings falls into this category.

Issues on review

8. The issues for determination are whether:
 - access to the Police Attendance Information may be refused under section 47(3)(a) of the RTI Act on the basis it is exempt under schedule 3, section 10(1)(g) of the RTI Act; 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.
9. In reaching my decision, I have taken into account evidence, submissions, legislation and other material as referred to in these reasons (including footnotes). I have had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to seek and receive information¹⁶ and, in doing so, have acted in accordance with section 58(1) of the HR Act.¹⁷

Exempt information

Relevant law

10. The RTI Act provides individuals with a general right to be given access to documents held by a Queensland government an agency.¹⁸ While the legislation is to be administered with a pro-disclosure bias,¹⁹ the right of access is subject to certain limitations, including grounds for refusing access, as set out in the RTI Act.²⁰
11. Relevantly, access may be refused to exempt information, under section 47(3)(a) of the RTI Act. Schedule 3 of the RTI Act sets out the categories of information which Parliament has determined are exempt from disclosure. Exempt information includes various types of law enforcement and public safety information as listed in schedule 3, section 10 of the RTI Act, including where disclosure could reasonably be expected to prejudice the maintenance or enforcement of a lawful method or procedure for protecting public safety.²¹
12. For the exemption in schedule 3, section 10(1)(g) of the RTI Act to apply, the following must be established:
 - a. a lawful method or procedure for protecting public safety; and

¹⁶ Section 21 of the HR Act.

¹⁷ OIC's approach to the HR Act set out in this paragraph has been considered and endorsed by the Queensland Civil and Administrative Tribunal in *Lawrence v Queensland Police Service* [2022] QCATA 134 at [23].

¹⁸ Section 23 of the RTI Act.

¹⁹ Section 44 of the RTI Act.

²⁰ Section 47 of the RTI Act. Those grounds are however, to be interpreted narrowly: section 47(2)(a) of the RTI Act.

²¹ Schedule 3, section 10(1)(g) of the RTI Act. The exemption is subject to the operation of schedule 3, section 10(2) of the RTI Act which provides that information is not exempt if it consists of matter revealing that the scope of a law enforcement investigation has exceeded the limits imposed by law.

- b. a reasonable basis to expect²² that the maintenance or enforcement of that method of procedure would be prejudiced from disclosure of the relevant information.²³
13. This exemption is subject to the list of exceptions in schedule 3, section 10(2) of the RTI Act which includes that information will not be exempt if it consists of '*matter revealing that the scope of a law enforcement investigation has exceeded the limits imposed by law*'.
14. The exemptions in schedule 3 to the RTI Act do not require or allow consideration of public interest factors. This is because Parliament has determined that disclosure of these categories of information would be contrary to the public interest.²⁴ Accordingly, if information falls within one of the categories of exempt information in schedule 3, a conclusive presumption exists that its disclosure would be contrary to the public interest, and no further consideration is permitted.²⁵

Submissions

15. QPS gave the following reasons²⁶ for refusing access to the Police Attendance Information:

Some of the located information contains details which if disclosed would identify call volume at certain times, number and types of incidents, and also certain aspects of how police attendance at calls for service are prioritised. I am satisfied that this type of information is relevant to the methods and procedures involved in managing calls for police service. I am also satisfied that if this type of information was disclosed, it would allow people to identify how the method or procedure could be exploited.

The Right to Information Commissioner has previously found that information which identifies how police consider crime, social, traffic and other challenges when prioritising how and when police will attend certain incidents is not readily available to the public, and if it was released, it could be exploited by people with criminal intent.²⁷ In this same case, it was also recognised that there have been documented examples of criminals using 'seemingly innocuous information to avoid detection and thereby further criminal activity.'²⁸ Knowledge of how police attendance at incidents is prioritised could also be used to falsely represent the circumstances of an incident to induce a more urgent response at the expense of incidents that actually warrant an urgent response.

In consideration of these issues, disclosure of this information could reasonably be expected to:

²² A reasonably based expectation is one for which real and substantial grounds exist (and not mere speculation or a mere possibility, or something that is irrational or absurd or ridiculous): *B and Brisbane North Regional Health Authority* (1994) 1 QAR 279 at [160]. *McKinnon v Secretary, Department of Treasury* [2006] HCA 45 at [61] and *Attorney-General's Department v Cockcroft* (1986) 10 FCR 180 at 190.

²³ *Law Abiding Firearms Owners Inc and Queensland Police Service* [2019] QICmr 46 (25 October 2019) at [19].

²⁴ Section 48(2) of the RTI Act.

²⁵ *Dawson-Wells v Office of the Information Commissioner & Anor* [2020] QCATA 60 at [17].

²⁶ In the reviewable decision.

²⁷ *Gold Coast Bulletin and Department of Police* (Unreported, Queensland Information Commissioner, 23 December 2010) at [17-18] and [24].

²⁸ *Gold Coast Bulletin and Department of Police* (Unreported, Queensland Information Commissioner, 23 December 2010) at [25].

- *Prejudice the effectiveness of lawful methods and procedures used to manage or respond to emergency incidents.*
- *Compromise the safe and secure processing and management of emergency calls and impact public safety.*

16. In his external review application, the applicant submitted that:

While I acknowledge the need to protect sensitive police procedures, the withheld information is essential for accountability. My repeated emergency calls, detailing an escalating domestic violence situation, were not responded to, and police attendance did not occur for two days.

The lack of a police response placed me in continued danger ... The refusal to release documents explaining this delay inhibits a necessary public discussion about the QPS's duty of care and whether their protocols for responding to domestic violence are effective and consistent.

...

The refusal to release documents or communications referencing how my case was handled in this context prevents me from determining if the response delay was due to systemic bias or a failure to follow their own protocols.

17. In his submissions in response to the preliminary view, the applicant disagreed that 'disclosing prioritization methods could be "exploited" as it 'ignores the specific, discriminatory facts of this case'.²⁹

Findings

18. I have considered the requirements of the exemption in schedule 3, section 10(1)(g) of the RTI Act, the Police Attendance Information, the reasons given by QPS in the reviewable decision, and the applicant's submissions.
19. I am limited in the extent to which I can describe the specific nature of the Police Attendance Information,³⁰ however, as QPS has outlined in the reviewable decision, it comprises information that '*would identify call volume at certain times, number and types of incidents, and also certain aspects of how police attendance at calls for service are prioritised*.'
20. I am satisfied that the system that QPS uses to prioritise responses to emergency calls constitutes a lawful method or procedure for protecting public safety. I am further satisfied that, if the Police Attendance Information was disclosed, given its particular nature, it may result in members of the public making false representations to QPS so as to heighten the priority of their matter, at the expense of more urgent emergency incidents. I am satisfied that this would cause prejudice to QPS methods and procedures that are intended to ensure public safety as it could divert resources away from serious emergency incidents, thereby placing members of the public at risk.

²⁹ Email of 25 February 2026.

³⁰ Section 108 of the RTI Act.

21. For the above reasons, I find that QPS correctly applied the exemption in schedule 3, section 10(1)(g) of the RTI Act to the Police Attendance Information. On the basis of the information available to me, I am satisfied that exemption is not displaced by any of the exceptions in schedule 3, section 10(2) of the RTI Act. In considering the exceptions, I have had particular regard to the applicant's submissions that QPS did not follow protocols. However, there is no evidence in the documents available to me to establish that the investigation '*exceeded the limits imposed by law*'. Therefore, that exception does not apply.
22. As set out above, where an exemption is established, the legislation does not permit consideration of public interest factors. Accordingly, while the applicant has demonstrated in his submissions that he considers there to be compelling public interest arguments in support of his right of access, I am unable to take those into account in applying the exemption to the Police Attendance Information.

Contrary to public interest

Relevant law

23. Access to information may be refused where its disclosure would, on balance, be contrary to the public interest.³¹ 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, or a substantial segment, of the community, as distinct from matters that concern purely private or personal interests.
24. In assessing whether disclosure of information would, on balance, be contrary to the public interest, a decision-maker must take certain steps as set out in section 49(3) of the RTI Act, including, identifying and disregarding irrelevant factors, identifying factors for and against disclosure, and deciding whether, on balance, disclosure of the information would be contrary to the public interest.
25. Schedule 4 of the RTI Act contains factors that may be relevant in determining where the balance of public interest lies in a particular case. I have considered these,³² together with all other relevant information, in reaching my decision. I have also applied the RTI Act's pro-disclosure bias³³ and considered Parliament's intention that grounds for refusing access to information are to be interpreted narrowly.³⁴

Submissions

26. As set out above in paragraph 16, the applicant made submissions in his external review application raising public interest factors to support his right of access,

³¹ Sections 47(3)(b) and 49 of the RTI Act.

³² I have considered each of the public interest factors outlined in schedule 4 of the RTI Act, and any relevant factors are discussed below. Some factors have no relevance, for example, the factor concerning innovation and the facilitation of research.

³³ Section 44 of the RTI Act.

³⁴ Section 47(2)(a) of the RTI Act.

including accountability, administration of justice, and deficiencies in QPS conduct. While those public interest arguments were not able to be considered in relation to the application of the exemption above, they are relevant to consider in determining where the balance of the public interest lies. I have therefore examined them in the analysis below. The applicant also submitted that:³⁵

The records are not simply "allegations;" they are a direct documentation of the threats and erratic behaviour that I reported and which were a part of the emergency calls.

...

The public interest in holding the police accountable for their response to a domestic violence incident outweighs the privacy concerns of a person whose conduct was reported to authorities.

27. In response to OIC's preliminary view, the applicant submitted that the '*public interest in revealing how the QPS manages lethal threats against vulnerable citizens far outweighs any privacy interests of a third party.*' He also argued that the weight of the public interest in protecting the privacy of other individuals should be reduced, and that higher weight should be afforded to enhancing QPS's accountability. His submissions also raise administration of justice arguments, and outline his concerns regarding QPS's '*delay*', '*failure to investigate*' and '*gross violation of domestic violence safety protocols*'.³⁶

Findings

28. I have not taken any irrelevant factors into account in making this decision.
29. There is a strong public interest in the applicant having access to his own personal information held by a government agency.³⁷ QPS has released a substantial amount of the applicant's personal information within the QPRIME documents, Incident Logs and recordings, serving to discharge this factor to significant degree. However, as discussed below, as the complaint arose in a domestic violence context, some of the applicant's personal information is inextricably intertwined with the personal information of another individual. Such information also attracts strong public interest factors favouring nondisclosure which must be balanced against the applicant's right to access his own personal information.
30. In the circumstances of this case, I have also taken into account the following public interest factors in favour of disclosure of the Third Party Information:
- enhance QPS accountability in terms of how it deals with domestic violence complaints and inform the community of how QPS operates
 - contribute to debate on the issue of QPS responsiveness and attendance to emergency incidents
 - allow or assist inquiry into possible deficiencies in conduct of QPS
 - reveal additional background/contextual information to QPS decisions; and

³⁵ In his external review application.

³⁶ Submission to OIC dated 25 February 2026.

³⁷ Schedule 4, part 2, item 7 of the RTI Act.

- advance the fair treatment of individuals and contribute to the administration of justice.³⁸
31. To my mind, the information already released to the applicant has discharged the above factors to a significant degree. The applicant has been provided with the majority of the recordings, the requested policy document, and most of the information within the QPRIME documents and Incident Logs. I acknowledge, however, that further disclosure of the Third Party Information within the documents would give the applicant a greater understanding of the information that was generated by QPS in responding to the complaint.
32. I accept that more fulsome disclosure would serve to enhance QPS's accountability and transparency, allow inquiry into QPS conduct, and contribute to debate on issues associated with QPS responsiveness in handling domestic violence complaints. Taking into account the nature of the Third Party Information (largely information about another individual), I consider these factors would only be served to a limited degree by disclosure.
33. I have considered the applicant's submissions regarding how he was treated by QPS, and the administration of justice. I acknowledge the importance of disclosing information to persons involved in a QPS complaint as it may assist them to pursue further avenues of complaint and/or assess whether legal remedies or proceedings are available. Again, taking into account the information disclosed to the applicant, and what remains redacted within the Third Party Information, I consider these factors would be furthered to a limited degree by disclosure.
34. On the other hand, I consider the following factors apply to favour nondisclosure:
- prejudice the protection of other individuals' right to privacy
 - prejudice fair treatment of other individuals to the extent it comprises unsubstantiated allegations; and
 - cause a public interest harm by disclosing other individuals' personal information.³⁹
35. The Third Party Information appears in the context of a domestic violence complaint and includes the name and other identifying information of another involved individual. I accept that some of this was provided by the applicant in the course of the emergency calls. Nevertheless, I am satisfied that individuals involved in domestic violence complaints are entitled to a high degree of privacy and protection of their personal information where it appears in associated QPS documents. Complaints of this nature are inherently private and sensitive.
36. As outlined earlier in these reasons, within the Third Party Information, the applicant's personal information appears inextricably intertwined with the personal information of another individual. While there is a strong public interest in the applicant accessing his personal information, where it is inextricably linked to the

³⁸ Schedule 4, part 2, items 1, 2, 3, 5, 10, 11, 16 and 17 of the RTI Act.

³⁹ Schedule 4, part 3, items 3 and 6 and part 4, item 6 of the RTI Act.

personal information of the other individual (both in the QPRIME documents and within the recordings), I am satisfied that disclosure could reasonably be expected to cause public interest harm, and prejudice the privacy of the other individual to such a degree that these nondisclosure factors carry significant weight. I have also had regard to the principle that there can be no control over further dissemination of information disclosed under the RTI Act, and this is particularly relevant in protecting sensitive personal information.⁴⁰

37. The Third Party Information also comprises QPS officer middle names.⁴¹ I am satisfied that this information is not routine work information of public sector employee and is inherently private to those individuals. I am satisfied that its disclosure could reasonably be expected to cause public interest harm, and prejudice the privacy of those officers.⁴²
38. I have taken into account the applicant's submission that the information he provided to QPS in the emergency calls was '*a direct documentation of the threats and erratic behaviour*' which prompted his complaint to QPS. I also note that he contests the reference to '*allegations*' and his submission that they '*remain unsubstantiated solely because QPS failed to attend*'.⁴³ Based on the information available to me, I am satisfied the nondisclosure factor⁴⁴ applies as the allegations remain of an unsubstantiated nature and there is no information available to me to confirm there has been any legal outcome in connection with the complaint.⁴⁵ Given the seriousness of the allegations against the other individual, and taking into account that the applicant was the source of the information, I afford this factor moderate weight.
39. On balance, I am satisfied that there are a number of factors favouring disclosure of the Third Party Information, but that, given the information already disclosed to the applicant, they carry only limited weight in favour of disclosure. However, I am also satisfied there are several nondisclosure factors which apply to the Third Party Information and, in the particular circumstances of this case, these factors carry significant and determinative weight to support a finding that disclosure of the Third Party Information would, on balance, be contrary to the public interest. I therefore find that access to the Third Party Information may be refused under section 47(3)(b) of the RTI Act.
40. Paragraphs [4] to [39] above are the reasons for my decision at paragraph [1].

--End--

⁴⁰ *FLK and Information Commissioner* [2021] QCATA 46 at [17].

⁴¹ On page 1 of the Incident Log dated 9 January 2025.

⁴² This information appears incidentally within the Incident Log and has not been specifically requested by the applicant. However, I have addressed it for completeness as it forms part of the redacted Third Party Information.

⁴³ Submission to OIC dated 25 February 2026.

⁴⁴ Schedule 4, part 3, item 6 of the RTI Act.

⁴⁵ This does not mean they were not genuinely made. It is not within my jurisdiction to determine whether or not a complaint is substantiated.