



Decision and Reasons for Decision

Citation: *V69 and Queensland Corrective Services [2026] QICmr 115*
(30 June 2026)

Application Number: 319559

Applicant: V69

Respondent: Queensland Corrective Services

Decision Date: 30 June 2026

Catchwords: ADMINISTRATIVE LAW - RIGHT TO INFORMATION - noncompliance with application requirement - section 33 of the Right to Information Act 2009 (Qld) - whether the agency was entitled to decide an application does not comply with all relevant application requirements - requirement to provide evidence of identity

DECISION

I affirm¹ the reviewable decision of Queensland Corrective Services (**QCS**)² that the applicant's access application dated 27 January 2026 does not comply with all relevant application requirements.

My reasons for the decision follow.



Jim Forbes
Assistant Information Commissioner

Date: 30 June 2026

¹ Under section 110(1)(a) of the *Right to Information Act 2009* (Qld) (**RTI Act**).

² Made under section 33(6) of the RTI Act.

REASONS FOR DECISION

Summary

1. The applicant applied³ to QCS under the RTI Act for a copy of audio recordings of the applicant, in relation to a specific event (**Access Application**).
2. QCS decided that the Access Application did not comply with all relevant application requirements under section 33(6) of the RTI Act,⁴ on the basis that the mandatory identification requirements⁵ necessary for a valid access application had not been met.
3. The applicant applied⁶ to the Office of the Information Commissioner for external review of QCS's decision.

Relevant law

4. In making an access application for a document containing personal information of the applicant, an applicant must provide evidence of identity with the application.⁷ Evidence of identity means a document verifying the person's identity. Where the person is a prisoner within the meaning of the *Corrective Services Act 2006* (Qld) (**CS Act**), it includes a copy of the person's identity card from the department administering the CS Act that is certified by a corrective services officer within the meaning of that CS Act.⁸
5. If an applicant purports to make an access application for a document containing the applicant's personal information, and the application does not comply with all relevant application requirements, the agency must:⁹
 - make reasonable efforts to contact the person within 15 days after the purported application is received
 - inform the person how the application does not comply with the relevant application requirements; and
 - give the applicant a reasonable opportunity to consult with a view to making the application in a form complying with all relevant application requirements.
6. If, after giving the applicant a reasonable opportunity to consult with a view to making the application in a form compliant with all relevant application requirements, the agency then decides that the application does not comply with all such requirements, the agency must give the applicant prescribed written notice of the decision.¹⁰

³ Access application dated 27 January 2026, received by QCS on 26 February 2026.

⁴ Decision dated 27 March 2026. This is the *reviewable decision* for the purposes of this review – see definition of 'reviewable decision' in schedule 4A of the RTI Act.

⁵ Section 24(2)(d) of the RTI Act and section 4 of the *Right to Information Regulation 2025* (Qld) (**RTI Regulation**).

⁶ External review application received by OIC on 14 April 2026.

⁷ Section 24(2)(d) of the RTI Act.

⁸ Evidence of identity also includes a passport, copy of a certificate or extract from a register of births, driver licence, or a statutory declaration from an individual who has known the person for at least 1 year – see section 4(2) of the RTI Regulation.

⁹ Section 33(2) and (3) of the RTI Act.

¹⁰ Section 33(6) of the RTI Act.

Findings

7. QCS followed the steps prescribed in sections 33(2) and (3) of the RTI Act as outlined in paragraph 5 above.¹¹ The applicant having not provided identification as required, QCS gave the applicant prescribed written notice of its decision that his Access Application did not comply with all relevant application requirements, under section 33(6) of the RTI Act.
8. By letter dated 8 May 2026, I wrote to the applicant explaining that, in my preliminary view, QCS's decision appeared justified. Given the applicant submitted he did not receive QCS's consultation letter, I also gave the applicant an opportunity to provide evidence of his identity should he continue to seek access to the requested information, as follows (footnotes omitted):

When applying for documents about yourself, the Right to Information Act (Qld) (RTI Act) requires that evidence of your identity be provided. QCS purported to consult with you about this requirement. However, I note your submission on external review that you did not receive this letter.

The information before me does not show that evidence of your identity has been provided to QCS. As this requirement was not met, it is our view that QCS's decision to refuse to deal with the application is correct. This means your request for documents is stalled on a preliminary issue.

... We can help you to resolve the identification issue, so that your request for documents can move forward. For this to happen, you must first provide to us identification which is acceptable.

.... If you would like to continue your application for documents, please send us a copy of your identity document that has been certified by one of the people listed in this letter.

*...Finally, if we do not hear from you by **12 June 2026**, we will finalise this review by way of formal decision, consistent with the preliminary view explained above.*

9. The applicant did not provide a response to my letter by 12 June 2026, nor by the date of this decision. As such, the application remains noncompliant with all relevant application requirements.
10. Accordingly, I have no reason to reconsider the preliminary view quoted in paragraph 8 above. I therefore adopt that view as final for the purposes of this decision. The Access Application does not comply with the requirements of section 24(2)(d) of the RTI Act, and I therefore affirm QCS's reviewable decision as made under section 33(6) of the RTI Act.

Conclusion

11. The above are the reasons for my decision set out at page 1.

¹¹ See QCS's consultation letter to the applicant dated 26 February 2026. I note the applicant's submission on external review that he did not receive a copy of QCS's consultation letter.

12. 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.
13. In making this decision, I have had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to seek and receive information.¹² 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 RTI Act.¹³ I have acted in this way in reaching my decision, in accordance with section 58(1) of the HR Act.

¹² Section 21(2) of the HR Act.

¹³ *XYZ v Victoria Police (General)* [2010] VCAT 255 (16 March 2010) at [573]; *Horrocks v Department of Justice (General)* [2012] VCAT 241 (2 March 2012) at [111]. The Information Commissioner's approach to the HR Act set out in this paragraph has been considered and endorsed by QCAT Judicial Member McGill in *Lawrence v Queensland Police Service* [2022] QCATA 134, noting that he saw 'no reason to differ' from our position [23].