



Decision and Reasons for Decision

Citation: O49 and Department of Families, Seniors, Disability Services and Child Safety [2026] QICmr 119 (6 July 2026)

Application Number: 318752

Applicant: O49

Respondent: Department of Families, Seniors, Disability Services and Child Safety

Decision Date: 6 July 2026

Catchwords: ADMINISTRATIVE LAW - RIGHT TO INFORMATION - IRRELEVANT INFORMATION - duplicate information - letter from Department stating duplicate information will be considered irrelevant - whether information is irrelevant to the terms of the access application - section 88 of the *Information Privacy Act 2009* (Qld)

ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - CONTRARY TO PUBLIC INTEREST INFORMATION - mobile telephone numbers and direct work telephone numbers of Departmental staff - non-routine personal work information of Departmental staff - whether disclosure would, on balance, be contrary to the public interest - section 67(1) of the *Information Privacy Act 2009* (Qld) and sections 47(3)(b) and 49 of the *Right to Information Act 2009* (Qld)

ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - EXEMPT INFORMATION - DISCLOSURE OF INFORMATION PROHIBITED BY PROVISION - information comprising the identity of a person who made a child protection notification, or information from which the identity of the notifier could be deduced - whether disclosure is prohibited by section 186A(1) of the *Child Protection Act 1999* (Qld) - child protection function

information – shared personal information – whether disclosure is prohibited by sections 186A or 187(2) of the *Child Protection Act 1999* (Qld) – section 67(1) of the *Information Privacy Act 2009* (Qld) – sections 47(3)(a) and 48 and schedule 3, section 12(1) of the *Right to Information Act 2009* (Qld)

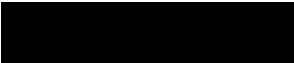
DECISION

I affirm¹ the reviewable decision of Department of Families, Seniors, Disability Services and Child Safety (**Department**) and find:²

- the Category A Information may be deleted on the ground it is irrelevant³ to the applicant
- the Category B Information and the Category C Information may be refused on the ground their disclosure would, on balance, be contrary to the public interest⁴
- the Category D Information comprises information prohibited from disclosure by section 186A of the *Child Protection Act 1999* (Qld) (**CP Act**) and therefore may be refused on ground it is exempt information; and
- the Category E Information comprises information prohibited from disclosure by section 187 of the CP Act and therefore may also be refused on ground it is exempt information.

This means that no further information is to be released to the applicant.

My reasons for the decision follow.



A Rickard
Assistant Information Commissioner

Date: 6 July 2026

¹ Under section 123(1)(a) of the *Information Privacy Act 2009* (Qld) (**IP Act**). 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 IP Act and *Right to Information Act 2009* (Qld) (**RTI Act**). As the applicant's application was made before this change, the IP Act and RTI Act **as in force prior to 1 July 2025** remain applicable to it. This is in accordance with transitional provisions in chapter 7, part 9 of the RTI Act and chapter 8, part 3 of the IP Act, which require that applications on foot before 1 July 2025 are to be dealt with as if the IPOLA Act had not been enacted. Accordingly, references to the RTI Act and IP Act in this decision are to those Acts, which may 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.

² I have made this decision as a delegate of the Information Commissioner under section 139 of the IP Act.

³ Section 88(2) of the IP Act.

⁴ Schedule 67(1) of the IP Act and sections 47(3)(b) of the RTI Act.

REASONS FOR DECISION

Background

1. The applicant applied under the IP Act⁵ to the Department for ‘all documents in relation to the applicant’s complaint and the subsequent investigation; including all emails regarding the complaint between the applicant and the department’ during a specified date range.
2. The Department located 345 pages responding to the application. It decided⁶ to give full access to 44 pages and to refuse 49 pages and parts of 252 pages on the basis the information was irrelevant to the application, its disclosure would on balance be contrary to the public interest, or it was exempt information, namely information prohibited from disclosure by sections 186A or 187 of the CP Act.
3. The applicant applied to the Office of the Information Commissioner (OIC) for external review of the Department’s decision,⁷ and provided a submission with their application. The submission expressed their desire to understand more about their personal information, and that of a family member, as held by the Department, in light of their deeply held concerns about the involvement of the Department and actions of child protection officers in a certain matter
4. OIC conveyed a preliminary view to the applicant,⁸ in response to which the applicant maintained that all located information should be released.⁹

Thank you for the correspondence but much of the OIC commentary is irrelevant or not interesting to me .

- *As I said in my previous correspondence dated 30 Jun 2025 (copy enclosed) the case matter is all about **misuse** of the **section 67(1) of the IP Act**. _*
- *In this case, the **section 67(1) of the IP Act was intentionally used by the Minister/Department for immoral courses that undermine Integrity and Values, which are NON-NEGOTIABLE values.***
- *In this case, the **section 67(1) of the IP Act was intentionally used by the Minister/Department to cover-up the previously committed several maliciously intended act, against me as part of the State Sponsored Violence and Persecution.***
- *In this case, the **section 67(1) of the IP Act was intentionally used by the Minister/Department, NOT in line with Fair, Just and Accountable Governance – the values the State constitutional framework guarantees or advocates.***
- *In this case, the **section 67(1) of the IP Act was intentionally used** by the Minister/Department to **promote and nurture mafia culture within the government.***
- *Let me settle the matters in the court of law by sending Summons to the deemed offenders, under CRIMINAL CODE 1899 Act and making Tort Claims, against the Minister/Department.*

(bold and underlining are applicant’s emphasis)

⁵ By application received by the Department on 28 April 2025.

⁶ Decision dated 3 June 2025. This is the *reviewable decision* in this matter.

⁷ External review application received on 30 June 2025.

⁸ On 7 May 2026 and further email on 22 May 2026.

⁹ On 26 May 2026.

5. I sought further information from the Department¹⁰ regarding information about other individuals set out in the applicant's written communications to the Department.¹¹ The Department's decision found this information may be refused on the ground its disclosure would, on balance, be contrary to the public interest, however I considered it would more appropriately be considered a type of exempt information, namely information about other persons' affairs acquired by persons involved in the administration of the CP Act regarding which the prohibition in section 187 of the CP Act was relevant. The Department accepted this view¹² and accordingly, such information is included among the Category E Information addressed below.
6. I also sought further information from the Department¹³ about some information obtained or considered when examining child safety officers' actions in the context of the applicant's complaint.¹⁴ OIC proposed the release of small portions of additional information, on the basis it was neither exempt information nor information the disclosure of which would, on balance, be contrary to the public interest. The Department largely accepted OIC's proposal but made submissions as to why certain information should continue to be refused¹⁵ which were accepted by OIC.¹⁶ Following this, the small portions of additional information¹⁷ were released to the applicant.¹⁸

Issues for determination

7. In terms of the remaining information in issue, the issues for determination are:
 - a) **Category A Information** – whether certain information may be deleted on the basis that it is not relevant to the scope of the application
 - b) **Category B Information** – whether mobile and direct line work telephone numbers may be refused on the ground their disclosure would, on balance, be contrary to the public interest
 - c) **Category C Information** – whether certain non-routine personal work information of Departmental staff¹⁹ may be refused on the ground its disclosure would, on balance, be contrary to the public interest
 - d) **Category D Information** – whether a small amount of the information in issue is prohibited from disclosure by section 186A of the CP Act and therefore may be refused on ground it is exempt information; and

¹⁰ Email dated 12 May 2026.

¹¹ On pages 6, 7, 8, 48, 49, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 69, 72, 98, 99, 297, 326, 327, 332, 333 and 344 of the 345 pages.

¹² Email dated 12 May 2026.

¹³ Email dated 15 June 2026.

¹⁴ On pages 155, 156, 173, 177, 181, 182, 184, 185, 203, 207, 211, 212, 214, 215, 235, 239, 243, 244, 246, 247, 266, 270, 274, 275, 277, 278 and 296 of the 345 pages.

¹⁵ Email dated 22 June 2026.

¹⁶ Email dated 30 June 2026.

¹⁷ On pages 155, 156, 173, 177, 181, 182, 184, 185, 203, 207, 211, 212, 214, 215, 235, 239, 243, 244, 246, 247, 266, 270, 274, 275, 277, 278 and 296 of the 345 pages.

¹⁸ On 1 July 2026.

¹⁹ On pages 155, 156, 173, 177, 185, 188, 192, 203, 207, 213, 215, 218, 222, 235, 239, 245, 247, 250, 254, 266, 270, 276, 278, 303, 306 and 308 of the 345 pages.

- e) **Category E Information** – whether the remaining information in issue is prohibited from disclosure by section 187 of the CP Act and therefore may also be refused on ground it is exempt information.

Evidence considered

8. The evidence, submissions, legislation and other material I have considered in reaching my decision are set out in these reasons (including footnotes).
9. I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the rights to seek and receive information and privacy and reputation.²⁰ 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 RTI Act.²¹ I have acted in this way in making this decision, in accordance with section 58(1) of the HR Act.

Category A Information

Relevant law

10. Section 88 of the IP Act permits an agency to delete information from a document which it considers is not relevant to an application. 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 to apply this section, it is relevant to consider whether the information in question has any bearing upon, or is pertinent to, the terms of the application.²²

Findings

11. The Category A information comprises parts of three pages.²³ It duplicates information appearing earlier in the 345 pages located by the Department.
12. The Department submitted²⁴ that the duplicate information was irrelevant based on its following statement to the applicant in its letter²⁵ acknowledging receipt of their application:

²⁰ Sections 21(2) and 25 of the HR Act

²¹ *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]. I also note the following observations made by Bell J in *XYZ* at [573], on the interaction between equivalent pieces of Victorian legislation (namely, the *Freedom of Information Act 1982* (Vic) and the *Charter of Human Rights and Responsibilities Act 2006* (Vic)): ‘... 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 FOI Act. I further note that OIC’s approach to the HR Act (as set out in this paragraph) was considered and endorsed by the Queensland Civil and Administrative Tribunal in *Lawrence v Queensland Police Service* [2022] QCATA 134 at [23] (where Judicial Member DJ McGill SC saw ‘no reason to differ’ from OIC’s position).

²² *FO80PCE and Department of Education and Training* (Unreported, Queensland Information Commissioner, 15 February 2010) at [52]. This decision was made in the context of the equivalent of section 88 of the IP Act, section 27(3) of the repealed *Freedom of Information Act 1992* (Qld). Refer also to *Kiepe and The University of Queensland* (Unreported, Queensland Information Commissioner, 1 August 2012) at [11].

²³ On pages 28, 29 and 288 of the 345 pages.

²⁴ Email dated 12 May 2026.

²⁵ Dated 9 May 2025.

... the following will be excluded unless you advise otherwise:

...

- *information which is duplicated across a number of different documents with no change to the content of the information. In these cases, a decision will be made on only one instance of this information and any subsequent copy of the information will be removed (where this information is contained in a document which is otherwise within scope of the application, the information will be removed as irrelevant);*

13. It is unclear on the information before me whether the applicant detected and understood that this statement in the Department's letter of acknowledgement would be construed as rendering subsequent versions of the same information irrelevant.
14. The Department agreed²⁶ that OIC could confirm to the applicant which three earlier pages contained the same information, and OIC did so.²⁷
15. As a result of OIC's explanation, the applicant has been made aware of the Department's reasoning and the earlier location of each portion of information. As such, they have been made aware that some of the information on the three earlier pages was released to the applicant, while the rest of it was refused on the basis its disclosure was prohibited by section 187 of the CP Act, and it was therefore exempt information.
16. In these circumstances, noting that the applicant has suffered no practical prejudice as a result of the deletion of duplicate information, and in absence of any submissions from the applicant which specifically address these deletions, I consider the Category A Information may be deleted on this basis.²⁸

Category B Information

Relevant law

17. Under the IP Act, an individual has a right to be given access to government held documents containing their personal information.²⁹ The IP Act is to be administered with a pro-disclosure bias;³⁰ however, the right of access is subject to a number of exclusions and limitations, including grounds of refusal of access.
18. Section 67(1) of the IP Act provides that access to a document may be refused on the same grounds upon which access to a document could be refused under section 47 of the RTI Act. Relevantly, section 47(3)(b) of the RTI Act permits an agency to refuse access to documents to the extent they comprise information, the disclosure of which would, on balance, be contrary to the public interest.

²⁶ Email dated 11 May 2026.

²⁷ By email dated 22 May 2026 which referred to pages 12, 50 and 257 of the 345 pages respectively.

²⁸ Section 88(2) of the IP Act.

²⁹ Section 40 of the IP Act.

³⁰ Section 64(1) of the IP Act.

19. 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.
20. Schedule 4 of the RTI Act contains factors that may be relevant in determining where the balance of the public interest lies in a particular case. I have considered these,³¹ together with all other relevant information, in reaching my decision. I have also applied the IP Act's pro-disclosure bias³² and considered Parliament's intention that grounds for refusing access to information are to be interpreted narrowly.³³

Findings

21. The Department's decision found that mobile and direct line work telephone numbers³⁴ may be refused on the ground their disclosure would, on balance, be contrary to the public interest.
22. I have considered the applicant's submission in response to my preliminary view set out at paragraph 4 above, which expresses a general objection to information being refused rather than addressing the Category B Information specifically. I am unable to see how disclosure of mobile telephone numbers and direct line work telephone numbers would address the applicant's concerns.
23. I have not taken into account any irrelevant factors. I have considered factors favouring disclosure, both in the RTI Act and more generally, and I am satisfied that none are relevant to the Category B Information.
24. On the other hand, I am satisfied that disclosure of mobile telephone numbers could, by enabling contact when off duty and/or engaged in private activity, reasonably be expected to prejudice the protection of relevant child protection officers' privacy.³⁵ Further, I am satisfied that disclosure of direct line work telephone numbers could reasonably be expected to compromise structures and processes put in place by the Department for fielding inquiries and concerns, and thereby result in a degree of prejudice to efficient workflow, record keeping and use of resources – and that, in this sense, disclosure of these telephone numbers could reasonably be expected to prejudice the Department's management function.³⁶ I consider that these factors warrant significant and moderate weight respectively regarding the types of Category B Information to which they apply.

³¹ 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. I note that the lists in Schedule 4 are non-exhaustive.

³² Section 64 of the IP Act.

³³ Section 67(2) of the IP Act and section 47(2) of the RTI Act.

³⁴ On pages 11, 12, 13, 28, 29, 30, 46, 100, 119, 130, 131, 132, 133, 157, 163, 164, 194, 225, 257, 288, 289, 290, 291, 292, 293, 296, 303, 304, 305, 306, 307, 308 and 309 of the 345 pages.

³⁵ Schedule 4, part 3, item 3 of the RTI Act. See *Underwood and Minister for Housing and Public Works* [2015] QICmr 27 (29 September 2015) at [66]–[68].

³⁶ Schedule 4, part 3, item 19 of the RTI Act.

25. Given that I cannot identify any factors favouring disclosure of the Category B Information and I consider that the factors favouring nondisclosure attract significant weight and moderate weight respectively, I am satisfied that disclosure of the Category B Information would, on balance be contrary to the public interest and access may be refused on this ground.³⁷

Category C Information

Relevant law

26. The provisions of the IP and RTI Acts noted above are again relevant.

Findings

27. The Department's decision found that some information, which it considered comprised non-routine personal information of child safety officers who were the subject of the applicant's complaint, may be refused on the ground its disclosure would, on balance, be contrary to the public interest. On external review, I considered that a small amount of this information could not be characterised as such and asked the Department to consider disclosure. The Department accepted this proposal and disclosed the information to the applicant.³⁸
28. In terms of the remaining non-routine personal information of child safety officers, as noted above, the applicant's submission set out at paragraph 4 above expresses a general objection to information being refused rather than specifically addressing the Category C Information.

Personal observations of subjects of complaint

29. Most of the Category C Information comprises non-routine personal information of child safety officers who were the subject of the applicant's complaint, specifically their observations, reflections and comments about their experience.³⁹ With respect to this information I have not taken into account any irrelevant factors.
30. This particular information cannot be considered shared personal information of the applicant, and therefore the personal information factor favouring disclosure cannot apply.⁴⁰ Factors favouring disclosure relating to accountability and transparency⁴¹ are relevant, however I consider that these factors have been largely advanced by the disclosure of surrounding information regarding the actions of the officers in question to the extent possible (noting constraints on the disclosure of information about notifiers and individuals other than the applicant discussed below⁴²). I do not consider that disclosure of the relevant child protection officers observations etc.

³⁷ Section 67(1) of the IP Act and section 47(3)(b) of the RTI Act.

³⁸ As noted at paragraph 6 above.

³⁹ On pages 155, 156, 173, 177, 185, 188, 192, 203, 207, 213, 215, 218, 222, 235, 239, 245, 247, 250, 254, 266, 270, 276, 278 and 281 of the 345 pages.

⁴⁰ Schedule 4, part 2, item 7 of the RTI Act.

⁴¹ Schedule 4, part 2, items 1, 3, and 11 of the RTI Act.

⁴² In relation to the Categories D and E Information respectively.

regarding such actions advances these factors a great deal further. I therefore afford these factors moderate weight.

31. I have also considered the factors favouring disclosure regarding assisting in inquiries into deficiencies in conduct, revealing such deficiencies and advancing fair treatment,⁴³ which the applicant's submissions may be understood to raise. Again, I consider that these factors have been largely advanced by the disclosure of surrounding information to the extent possible. I consider that the factor favouring disclosure regarding assisting in inquiries into deficiencies in conduct is deserving of moderate weight, noting that such inquiries may or may not be consistent with applicant expectations of such conduct. I cannot see how the two other factors, regarding revealing deficient conduct and advancing fair treatment, arise. If I am wrong in this regard, however, I consider they should be given low weight. I have considered the remaining factors favouring disclosure, both in the RTI Act and more generally, and I am satisfied that none are relevant.
32. On the other hand, noting the personal, reflective nature of the observations and the context in which they were offered by subjects of a complaint, I consider their disclosure would cause the public interest harm of disclosing relevant child protection officers' personal information⁴⁴ and could reasonably be expected to prejudice their privacy.⁴⁵ Given the particular information and context, I consider these factors warrant significant weight, and that this weight outweighs the combined weight of the factors favouring disclosure.

Staffing and leave information

33. The remaining Category C Information comprises information about Departmental staffing and leave unrelated to the applicant's complaint.⁴⁶ For this information, I have again not taken into account any irrelevant factors.
34. I have carefully considered factors favouring disclosure, both in the RTI Act and more generally, and I am satisfied that none are relevant. In terms of factors favouring disclosure, however, I am satisfied that disclosure would cause the public interest harm of disclosing relevant child protection officers' personal information⁴⁷ and could reasonably be expected to prejudice their privacy.⁴⁸ I consider that both factors favouring nondisclosure warrant significant weight and that, in absence of any factors favouring disclosure, this weight is determinative.

Conclusion

⁴³ Schedule 4, part 2, items 5, 6 and 10 of the RTI Act.

⁴⁴ Schedule 4, part 4, section 6 of the RTI Act.

⁴⁵ Schedule 4, part 3, item 3 of the RTI Act.

⁴⁶ On pages 303, 306 and 308 of the 345 pages.

⁴⁷ Schedule 4, part 4, section 6 of the RTI Act.

⁴⁸ Schedule 4, part 3, item 3 of the RTI Act.

35. In conclusion, I find that disclosure of both types of the Category C Information would, on balance be contrary to the public interest and access may be refused on this ground.⁴⁹

⁴⁹ Section 67(1) of the IP Act and section 47(3)(b) of the RTI Act.

Category D Information

Relevant law

36. Another ground upon which access to a document may be refused under section 47 of the RTI Act is set out in section 47(3)(a), which permits an agency to refuse access to documents to the extent they comprise exempt information.
37. Schedule 3, section 12(1) of the RTI Act lists a number of Acts which contain provisions prohibiting the disclosure of information. Such information will be exempt information unless it is only the personal information of the access applicant.⁵⁰
38. The Department's exercise of its child safety functions is governed by the CP Act. The CP Act provides for the protection of children, promotes the safety of children and, to the extent it is appropriate, supports families caring for children.
39. Section 5 requires the CP Act be administered under the principles stated in that Act. Section 5A states the paramount principle for administering the CP Act is '*the safety, wellbeing and best interests of a child, both through childhood and for the rest of the child's life, are paramount*'.
40. Section 186A(1) of the CP Act prohibits disclosure of a notifier's identity, or information from which their identity could be deduced. For section 186A(1) to apply, the following elements must be satisfied:
 - a. a person has notified a specified person⁵¹ of harm or suspected harm to a child or unborn child
 - b. release of the information could disclose the identity of the notifier, or information from which their identity could be deduced; and
 - c. none of the exceptions in section 186A(2) apply.
41. If the above three conditions are met, the information will be exempt information under schedule 3, section 12(1) of the RTI Act (unless, as mentioned at paragraph 37 above, it is only the personal information of the access applicant, in which case the exception in schedule 3, section 12(2) of the RTI Act applies).

Findings

42. A small amount of the redacted information in the 345 pages comprises information which relates to the identity of individual/s who made a notification/s to the Department.
43. I have carefully considered this Category D Information and can confirm:
 - the individual/s in question notified a specified person of harm or suspected harm to a child

⁵⁰ Schedule 3, section 12(2) of the RTI Act.

⁵¹ That is, the chief executive, an authorised officer, a police officer, a doctor or a nurse – see section 186 of the CP Act.

- release of the information would disclose the identity of the notifier/s, or information from which their identity could reasonably be deduced; and
 - therefore the criteria in section 186A(1) of the CP Act are satisfied.
44. I have considered the exceptions listed in section 186A(2) of the CP Act, and the exception in schedule 3, section 12(2) of the RTI Act. I am satisfied that none of these apply.
45. I must therefore conclude:
- Section 186A(1) of the CP Act prohibits disclosure of the Category D Information.
 - Accordingly, this information is a type of exempt information, as listed in schedule 3, section 12(1) of the RTI Act.⁵²
 - Therefore, access to the Category D Information under the RTI Act may be refused on the ground it is exempt information.⁵³
46. I have carefully considered the applicant's submissions with their external review application and as set out at paragraph 4 above which, in effect, may be construed as raising public interest arguments favouring disclosure of the Category D Information.
47. While I acknowledge these submissions, where information meets the requirements of an RTI Act exemption, it is not necessary to also carry out a public interest balancing exercise.⁵⁴ This is because Parliament has considered that it is contrary to the public interest to disclose such information in all circumstances.⁵⁵ This means that OIC has no power under the RTI Act to proceed to consider public interest considerations beyond those which Parliament has deemed relevant, and no power to reach a different conclusion.

Category E Information

Relevant law

48. The provisions of the IP and RTI Acts and sections 5 and 5A of the CP Act, as noted above, are again relevant.
49. Section 187(2) of the CP Act prohibits disclosure of certain information acquired by the Department in carrying out its functions under that Act. For this section to apply, the information must:

⁵² Under schedule 3, section 12(1) of the RTI Act.

⁵³ Section 67(1) of the IP Act and section 47(3)(a) and schedule 3, section 12(1) of the RTI Act.

⁵⁴ This was confirmed by QCAT in *Dawson-Wells v Office of the Information Commissioner & Anor* [2020] QCATA 60 at [10] and *Mokbel v Queensland Police Service* [2023] QCATA 158 at [30].

⁵⁵ Section 48(2) of the RTI Act.

- a. be about a person's affairs,⁵⁶ as required by section 187(1)(b) of the CP Act (**First Condition**)
 - b. have been acquired by a person performing functions under or relating to the administration of the CP Act, as listed in section 187(1)(a) of the CP Act (**Second Condition**); and
 - c. not be subject to an exception in section 187(3) or (4) of the CP Act (**Third Condition**).
50. As for section 186A of the CP Act, if the above three conditions are met, the information will be exempt information under schedule 3, section 12(1) of the RTI Act unless section 12(2) applies. Schedule 3, section 12(2) provides that information is not exempt information under section 12(1) *'if it is only personal information of the applicant'*. If this further exception does *not* apply, the information is exempt information and access may be refused.

Findings

51. I have carefully considered the balance of the information remaining in issue – that is the Category E Information. The Category E Information comprises information that is solely about other individuals in their personal capacity, or 'shared personal information' that is about the applicant as well as such individuals.
52. I am satisfied that the Category E Information was acquired by individuals who, in their capacity as persons listed in section 187(1)(a) of the CP Act, were performing functions under or relating to the administration of the CP Act. I am also satisfied that the information is about the affairs of individuals other than the applicant, as required by section 187(1)(b) of the CP Act. Therefore, the First and Second Conditions necessary for section 187(2) of the CP Act are satisfied.
53. I have considered the exceptions listed in section 187(3) and (4) of the CP Act, and the exception in schedule 3, section 12(2) of the RTI Act.
54. I have particularly considered the exception in section 187(4)(a) of the CP Act, which provides that disclosure of information to another person is not prohibited under section 187(2) of the CP Act *'to the extent the information... is about the other person'*. However, this exception is limited to an applicant's personal information *only*, and information which is solely about the applicant is already among the disclosed information. This exception cannot apply to information that is about both the applicant and others,⁵⁷ and therefore cannot apply to the shared personal information component of the Category E Information. This is also the case for the exception in schedule 3, section 12(2) of the RTI Act.

⁵⁶ The term 'person's affairs' is not defined in the CP Act or the *Acts Interpretation Act 1954* (Qld). Accordingly, the *Macquarie Dictionary Online* (Ninth Edition) definition of 'affair/s' (matters of interest or concern) (a private or personal concern), adopted in *7CLV4M and Department of Communities* (Unreported, Queensland Information Commissioner, 21 December 2011) at [30], is considered relevant.

⁵⁷ Hughes and Department of Communities, Child Safety and Disability Services (Queensland Information Commissioner, 17 July 2012) at [23]–[27]; applied recently in X30 and Department of Families, Seniors, Disability Services and Child Safety; and Other [2026] QICmr 21 (12 February 2026) at [56]–[70] and I31 and Department of Families, Seniors, Disability Services and Child Safety [2026] QICmr 41 at [32]–[44].

55. I have also considered the exception in section 187(3)(e) of the CP Act, which enables a person other than an applicant to consent in writing to the disclosure of their information. However, this exception can only apply when the person to whom the information relates is or becomes an adult. In the present matter, the information largely relates to a child. Regardless of whether it relates solely to them, or to both them and the applicant or others, this particular exception cannot apply, and the prohibition in section 187(2) remains.
56. A small amount of the Category E Information does not relate to the child, but comprises shared personal information of the applicant and another adult/s. Given its nature, I do not consider it reasonable to expect informed consent could be forthcoming from the adult/s in question. Consequently I conclude it reasonable and preferable to not explore the exception in section 187(3)(e) further in this regard.
57. Having carefully considered the entirety of the applicant's submissions with their external review application and as set out at paragraph 4 above, I cannot discern any circumstances which give rise to any of the exceptions. Having considered all possible exceptions, I am satisfied that none of these apply. Therefore, the Third Condition is satisfied.
58. I therefore conclude:
- section 187(2) of the CP Act prohibits disclosure of the child protection function information
 - this information is a type of exempt information, as listed in schedule 3, section 12(1) of the RTI Act;⁵⁸ and
 - accordingly, access to this type of information under the RTI Act may be refused on the ground it is exempt information.⁵⁹
59. I confirm I have carefully considered the applicant's submissions with their external review application and as set out at paragraph 4 above which may be construed as raising public interest arguments favouring disclosure of the Category E Information. However, as explained at paragraph 47 above, I am unable to take such considerations into account.

Summary

60. In summary, I find that each of the abovementioned categories of information may be refused.
61. The above are the reasons for the decision as set out at page 2.

⁵⁸ Under schedule 3, section 12(1) of the RTI Act.

⁵⁹ Section 67(1) of the IP Act and sections 47(3)(a) and 48 of the RTI Act.