



## Decision and Reasons for Decision

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Citation:	<i>J85 and Queensland Police Service [2024] QICmr 36 (12 August 2024)</i>
Application Number:	317276
Applicant:	J85
Respondent:	Queensland Police Service
Decision Date:	12 August 2024
Catchwords:	<b>ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL TO DEAL WITH APPLICATION - SUBSTANTIAL AND UNREASONABLE DIVERSION OF RESOURCES - documents relating to the applicant's interactions with the agency - whether dealing with the access application would substantially and unreasonably divert agency resources from their use in performing its functions - section 41 of the <i>Right to Information Act 2009</i> (Qld)</b>

## REASONS FOR DECISION

### Summary

1. The applicant applied<sup>1</sup> to the Queensland Police Service (**QPS**) under the *Right to Information Act 2009* (Qld) (**RTI Act**) for access to an 18 item list of documents (including video footage) relating to his dealings with QPS and QPS interactions with other named individuals over a four-year period.
2. QPS did not make a decision within the statutory timeframe and therefore was deemed to have made a decision refusing access to the requested documents.<sup>2</sup> The applicant applied to the Office of the Information Commissioner (**OIC**) for review of this decision.<sup>3</sup>
3. For the reasons set out below, I set aside QPS's deemed refusal of access decision and find that dealing with the Narrowed Application (as defined below) would constitute a substantial and unreasonable diversion of QPS's resources.

### Background

4. After receiving the application, QPS advised the applicant<sup>4</sup> that it was not valid because it did not give sufficient information about the documents sought.<sup>5</sup> In response, the applicant provided<sup>6</sup> further information.
5. On receiving the applicant's application for external review, OIC considered the 18 item list comprising the access application along with the further information provided by the

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<sup>1</sup> Access application dated 9 January 2023.

<sup>2</sup> Deemed decision notice dated 16 May 2023.

<sup>3</sup> External review application dated 4 May 2023.

<sup>4</sup> Letter dated 15 February 2023.

<sup>5</sup> Particularly in relation to items 6, 7 and 15-17 as listed in the application.

<sup>6</sup> Email dated 7 March 2023.

applicant to QPS (**Original Application**). OIC then engaged in discussions with the applicant and QPS with a view to reducing the scope of the application to a narrower form. The applicant reduced the types of documents he sought for some of the 18 items, and provided additional information, specifically telephone numbers, to assist QPS to conduct searches for some items (**Narrowed Application**).

6. QPS considered that the work involved in processing the Narrowed Application would be a substantial and unreasonable diversion of its resources and made an alternative proposal which was rejected by the applicant. The applicant maintains that QPS should be required to deal with the Narrowed Application.

### Reviewable decision

7. The decision under review is the decision refusing access to all requested information which QPS is deemed to have made under section 46 of the RTI Act.

### Evidence considered

8. The applicant provided extensive submissions during the review. I have considered all this material and have relied upon those parts which have relevance to the issues to be determined in this external review.
9. The submissions, evidence, legislation and other material considered in reaching this decision are referred to in these reasons (including footnotes and Appendices).
10. In reaching my decision, I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to seek and receive information as embodied in section 21 of the HR Act. I consider that a decision-maker will, when observing and applying the law prescribed in the RTI Act, be '*respecting and acting compatibly with*' this right and others prescribed in the HR Act.<sup>7</sup> I further consider that, having done so when reaching my decision, I have acted compatibly with and given proper consideration to relevant human rights, as required under section 58(1) of the HR Act.
11. Significant procedural steps taken during the external review are set out in **Appendix 1**.

### Issue for determination

12. The issue for determination in this review is whether the work involved in dealing with the Narrowed Application would, if carried out, be a substantial and unreasonable diversion of QPS's resources.<sup>8</sup>
13. The applicant's submissions<sup>9</sup> raise concerns about conduct of QPS Officers and outline the separate complaint processes the applicant has pursued or is pursuing. These concerns and complaint processes are outside OIC's jurisdiction and therefore are not relevant to the issue for determination in this review.

### Relevant law

14. Under the RTI Act, an agency may refuse to deal with an application if the work involved would, if carried out, *substantially and unreasonably* divert the resources of the agency from their use by the agency in the performance of its functions.<sup>10</sup>

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<sup>7</sup> See *XYZ v Victoria Police (General)* [2010] VCAT 255 (16 March 2010) at [573]; and *Horrocks v Department of Justice (General)* [2012] VCAT 241 (2 March 2012) at [11]. Within the context of an appeal regarding the application of the *Information Privacy Act 2009* (Qld), and therefore the RTI Act provisions, Judicial Member McGill observed that he saw '*no reason to differ*' from this approach in *Lawrence v Queensland Police Service* [2022] QCATA 134 at [23].

<sup>8</sup> Under section 41 of the RTI Act.

<sup>9</sup> As set out in the Appendix.

<sup>10</sup> Section 41(1) of the RTI Act.

15. Assessing whether the work involved in processing a given application would, if carried out, substantially and unreasonably divert resources is a question of fact to be appraised in each individual case, taking into account a given agency's operations and resources.<sup>11</sup> The terms 'substantially' and 'unreasonably' are not defined in the RTI Act, nor in the *Acts Interpretation Act 1954 (Qld) (AI Act)*. It is therefore appropriate to consider the ordinary meaning of these words,<sup>12</sup> that is:
- 'substantial' – defined as meaning 'considerable amount, quantity, size, etc.: a substantial sum of money' and 'of telling effect: a substantial reform'<sup>13</sup>
  - 'unreasonable' – defined as meaning 'exceeding the bounds of reason; immoderate; exorbitant' and 'immoderate; excessive: unreasonable demands'.<sup>14</sup>
16. In deciding whether dealing with an application would substantially and unreasonably divert an agency's resources from the performance of its functions, a decision-maker must not have regard to any reasons the applicant gives for applying for access or any belief they may hold about the applicant's reasons for applying for access.<sup>15</sup> The decision-maker must have regard to the resources that would be used for:<sup>16</sup>
- identifying, locating or collating the documents
  - making copies, or edited copies of any documents
  - deciding whether to give, refuse or defer access to any documents, including examining any documents or conducting third party consultations; or
  - notifying any final decision on the application.
17. An agency may only refuse to deal with an application under section 41 of the RTI Act if a procedural prerequisite has been met – namely giving the applicant an opportunity to narrow the scope of the application, so as to re-frame it into a form that can be processed.<sup>17</sup> The applicant is to be given the benefit of any information an agency may be able to supply to help with this narrowing process, as far as is reasonably practicable.
18. For an external review, the RTI Act does not expressly address the procedure to be followed by the Information Commissioner before making a decision to refuse to deal with an application on the ground that doing so would substantially and unreasonably divert an agency's resources from the performance of its functions. Generally, the Information Commissioner, or their delegate, has the power to decide any matter in relation to an application that could have been decided by the agency; and is required to identify opportunities for early resolution and to promote settlement of external review applications. The procedure to be taken is, subject to the RTI Act, at the discretion of the Information Commissioner.<sup>18</sup>

### The procedure on external review

19. The **Original Application** consists of the application received by QPS seeking access to an 18 item list of documents, and incorporating the information provided by the applicant to QPS on 7 March 2023. It is set out in **Appendix 2**.<sup>19</sup>
20. After considering the Original Application and the external review application, OIC wrote to the applicant to observe that, even as clarified, the scope of his application, on its face,

<sup>11</sup> *Davies and Department of Prime Minister and Cabinet* [2013] AICmr 10 (22 February 2013) at [23].

<sup>12</sup> Section 14B of the AI Act.

<sup>13</sup> Macquarie Dictionary Online at <www.macquariedictionary.com.au> and Collins Dictionary, 3<sup>rd</sup> Australian Edition respectively.

<sup>14</sup> Ibid.

<sup>15</sup> Section 41(3) of the RTI Act.

<sup>16</sup> Section 41(2) of the RTI Act. The word 'or' as it appears in this provision indicates that a finding of a substantial and unreasonable diversion of resources can be made on the basis of one or some of the subsections alone rather than having a cumulative effect.

<sup>17</sup> Section 42(1) of the RTI Act.

<sup>18</sup> Sections 90(1), 95(1)(a) and 105(1) of the RTI Act.

<sup>19</sup> Note – throughout this decision, references to individuals, locations, certain entities, dates and QPS reference numbers have been coded for the purpose of de-identification.

seemed to be very broad and too large to process. In this manner, OIC consulted with the applicant and invited him to consider the following more confined scope:<sup>20</sup>

1. QPRIME<sup>21</sup> documents and body worn camera footage regarding police attendance at [applicant's address] between [Month 3] 2019 and [Month 4] 2021
2. QPRIME documents and body worn camera footage regarding police attendance at [another address] between [Month 4] 2021 and 9 January 2023<sup>22</sup>
3. Written notes, reports and body worn camera footage of police attendance at [applicant's address] on [Date 2] 2020
4. The following records relating to the applicant's attendance at ... Police Station [B] on [Date 1] 2021 including: a. [the applicant's] statement b. [QPS Officer 2's] notes or records c. body worn camera footage and d. CCTV footage of booking and release.

21. The applicant did not agree to OIC's proposed narrowed scope and provided extensive submissions. Relevantly, the applicant stated:<sup>23</sup>

*I narrowed the scope of my original disclosure request when I made my QPS RTI application, and then narrowed the scope once again at the request of QPS RTI who indicated that the problem with my request was the location of the information I required. That is why the email I sent to validate my request made it clear I wanted the information held in QPRIME as suggested. Even if the body camera footage is not held in QPRIME, it is most likely held in a central location easily accessible by RTI officers.*

*... the information that I have requested in my validated response to QPS RTI is all in QPRIME and should be readily available to download easily by one Officer without the need to contact or approach any other agencies or offices*

*This continued insistence on hiding information which should be freely available to me under the Criminal Code and Rights [sic] to Information Act 2009 points directly to criminal conspiracy and collusion on the part of QPS, QPS RTI, and Police Prosecutions.*

22. OIC then asked QPS<sup>24</sup> whether it would agree to process the Original Application. QPS maintained<sup>25</sup> that the extent of the work involved in processing the application would be a substantial and unreasonable diversion of its resources from their use in the performance of its functions.
23. OIC assessed the submissions from the applicant and QPS and conveyed a preliminary view to the applicant<sup>26</sup> that QPS would be entitled to rely on substantial and unreasonable diversion of resources to refuse to deal with the access application.
24. In response, the applicant<sup>27</sup> made submissions – as set out in **Appendix 2** – in which he agreed to narrow some parts of the scope and provided telephone numbers for some items to assist QPS to conduct searches (ie the **Narrowed Application**).
25. OIC considered that the Narrowed Application did not significantly narrow the number of matters that it related to, nor the type of information sought. Given this, it remained OIC's view that the Narrowed Application continued to be too large to be considered in a single application by QPS. OIC therefore recommended to the applicant that he make fresh applications to QPS limiting each request to documents about one incident at a time.<sup>28</sup> In response, the applicant elaborated on his reasons for requesting the items.<sup>29</sup>

<sup>20</sup> Letter dated 7 June 2023.

<sup>21</sup> QPRIME is the Queensland Police Records Information Management Exchange, which is QPS's information and records management system.

<sup>22</sup> Being the date of the applicant's access application, in accordance with section 27 of the RTI Act.

<sup>23</sup> Letter dated 20 June 2023.

<sup>24</sup> Letter dated 6 July 2023.

<sup>25</sup> Letter dated 28 August 2023.

<sup>26</sup> Letter dated 7 September 2023.

<sup>27</sup> Email dated 20 September 2023.

<sup>28</sup> Letter dated 17 October 2023.

<sup>29</sup> Email dated 24 October 2023.

26. OIC received additional submissions from QPS which confirmed its position that processing the Narrowed Application would still be too large to progress in one single application.<sup>30</sup> However, in an effort to assist the applicant in framing his request in a way that could be processed, QPS proposed the following scope which, in its view, removed the refusal to deal ground and would allow QPS to progress a fresh application efficiently:<sup>31</sup>
1. Documents (including footage, calls and disclosure requests to Police Prosecutions) relating to the matter on [Date 1] 2021, QPS reference numbers [i., iv. and v.]. Excluding footage and calls that do not contain the applicant, and the applicant's electronic record of interview with [QPS Officer 2] as this is available under an alternative access scheme.... (information sought by applicant under items 1, 2, 3, 4, 10 and 14)
  2. Documents (including footage) relating to the matter on [Date 2] 2020, QPS reference number [vi.]. Excluding footage that does not contain the applicant. (information sought by applicant under item 5)
  3. Documents (including footage) relating to the matter on [Date 4] 2021, QPS reference number [ii.]. (information sought by applicant under items, 6 (possibly) and 11)
  4. Documents regarding requests for disclosure relating to [specified] Courthouse on [Date 3] 2022, QPS reference number [vii.]. (information sought by applicant under item 8)
  5. Reports made by the applicant about [Individual A] to officers of ... Police Station [B], QPS reference numbers a. [viii.] b. [ix.] (information sought by applicant under item 13)
  6. Documents (including footage) relating to the matter on [Date 5] 2022, QPS reference [vii.].<sup>[32]</sup>
27. OIC invited the applicant to advise whether he would accept QPS's proposed scope, in effect providing the applicant with a further opportunity to narrow the terms of the application.<sup>33</sup> The applicant rejected QPS's proposal and maintained that QPS should be required to deal with the Narrowed Application.<sup>34</sup> OIC then requested and received final submissions from QPS.<sup>35</sup>
28. Noting the abovementioned four occasions on which OIC wrote to the applicant regarding the scope of his application,<sup>36</sup> I consider that OIC gave the applicant several opportunities to narrow the scope of his access application, so as to re-frame it into a form that QPS could process. In giving these opportunities, I consider that OIC exceeded the procedural requirements<sup>37</sup> which would have applied to QPS, had QPS not been deemed to have made a decision refusing access to all requested information. I therefore consider it clear that the applicant has been afforded procedural fairness.

## Findings

### **What work would be involved in dealing with the Narrowed Application?**

29. In summary, in his submissions proposing the Narrowed Application,<sup>38</sup> the applicant provided telephone numbers for items 3, 4, 6 and 13 to assist QPS to conduct searches. In terms of narrowing his request, he:
- excluded body worn camera footage for items 12, 15 and 17, except in relation to one QPS attendance<sup>39</sup>
  - excluded complaints made by telephone for item 13, except in relation to a particular complaint he made<sup>40</sup>

<sup>30</sup> Emails dated 10 November 2023 and 1 February 2024.

<sup>31</sup> Email dated 1 February 2024.

<sup>32</sup> It is my understanding that QPS included 6. of its suggested scope in response to the applicant's reference, in his email dated 20 September 2023, to Date 5 which he had not mentioned previously.

<sup>33</sup> Letter dated 23 February 2024.

<sup>34</sup> Email dated 8 March 2024.

<sup>35</sup> Letter dated 20 June 2024 and email dated 7 August 2024 respectively.

<sup>36</sup> Letters dated 7 June 2023, 7 September 2023, 17 October 2023 and 23 February 2024.

<sup>37</sup> Of section 42 of the RTI Act.

<sup>38</sup> In email dated 20 September 2023 and set out in Appendix 2.

<sup>39</sup> Regarding which he referred to his submissions about item 7, in which he referred to a search of his property which occurred some time during a three-month period in 2019 that he had not mentioned previously.

- stated that he agreed to narrow the scope of some other items – however his explanations then attempted to expand upon rather than narrow the request in the Original Application;<sup>41</sup> and
- otherwise, repeated his requests or provided additional information regarding his reasons for seeking various items.

30. In response, QPS noted<sup>42</sup> that it had already spent significant time attempting to categorise, identify and locate the documents sought under the applicant's request, and observed that the overlapping nature of many of the items had made it difficult to clearly identify which documents each item covered, thereby adding to the complexity of processing the application. QPS went on to submit that:

- The provision of phone numbers for items 3, 4, 6 and 13 of the application scope may assist with searches, but it would not reduce the work involved in conducting the searches. QPS would still be required to conduct numerous searches not only in the QPRIME database, but also in other locations and systems to locate relevant information that allows QPS personnel to readily identify the documents sought by these items.
- Extensive further searches for records would need to be undertaken. In addition to searching the QPRIME database, searches/enquiries would also need to be undertaken with two named Police Stations (which are small stations with limited staff), Police Prosecutions and Police Communications Centre.
- QPS had attempted to conduct searches for items 7 and 15, however, further information would be required to identify the documents sought under these items, because the circumstances described in the information provided by the applicant, were not consistent with the information in QPRIME.
- The Narrowed Application still sought video footage regarding nine items. Significant resources would be involved in processing the footage located to date. Without taking into consideration the time taken to locate and assess this footage, it is estimated that editing and reviewing it would take at least five hours.
- In terms of the parts of the scope seeking access to complaints made by the applicant against a named individual (ie Individual A). QPS records indicate that the applicant made numerous complaints against this person during the relevant period and, considering the scope includes QPRIME reports, video footage and other records relating to those complaints, this could be expected to encompass a large volume of information.
- For the above reasons, dealing with the Narrowed Application would still be a substantial and unreasonable diversion of QPS resources.

31. QPS subsequently added<sup>43</sup> that further searches with specialist business units may also be required (based on those linked into the investigation processes in QPRIME for the police occurrence numbers previously identified) – for example, QPS's Criminal Investigation Branch, District Intelligence, Scenes of Crime and/or the Vehicle Inspection Unit. QPS also provided further detail regarding the resources required to process video footage and the number of pages it expected would be located.

32. As noted at paragraph 16 above, when considering the work involved in dealing with an application, the decision-maker must have regard to the resources that would be used for:<sup>44</sup>

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<sup>40</sup> On Date 7 in 2019, which he had not mentioned previously.

<sup>41</sup> Item 5 – regarding which the applicant stated that he also requested QPRIME reports regarding a QPS attendance at Person A's residence; item 6 – regarding which the applicant stated that he also requested recordings of phone calls and QPRIME notes; item 7 – regarding which the applicant requested body worn camera footage, QPRIME entries and photographs regarding a search of his property which occurred sometime during a three-month period in 2019 which he had not mentioned previously, following a complaint on Date 6 in 2019 which he also had not mentioned previously. In terms of item 7, I note that the body worn camera footage and QPRIME entries may fall within item 15, but not the photographs.

<sup>42</sup> Emails dated 10 November 2023 and 1 February 2024.

<sup>43</sup> Email dated 7 August 2024.

<sup>44</sup> Section 41(2) of the RTI Act.

- identifying, locating or collating the documents
  - making copies, or edited copies of any documents
  - deciding whether to give, refuse or defer access to any documents, including examining any documents or conducting third party consultations; or
  - notifying any final decision on the application.
33. Usually external reviews considering whether the work involved in dealing with an application would amount to a substantial and unreasonable diversion of resources relate to circumstances where the agency has completed, or largely completed, the work noted at the first point in the preceding paragraph – that is, identifying and locating relevant documents and, if not collating them, at least reaching a reasonable approximation of the volume of information responsive to the application (that is, the number of pages and the length of any video footage or audio recordings). From this reasonable approximation of volume, external reviews usually then proceed to calculate the time reasonably expected to be required to collate (if this hasn't occurred), assess, redact, consult on (if necessary) and write a decision regarding the located information.
34. In this particular case, however, an approximation of the volume of documents responsive to the Narrowed Application has not yet been possible, and therefore an extrapolation from that volume to estimate the time and resources required to process those documents has also not been possible. Instead, it would first be necessary for QPS to conduct further searches in order to identify, locate and collate relevant documents. In terms of the work involved:
- a. I am satisfied that the Narrowed Application identifies at least eight different incidents regarding which it seeks documents – in particular incidents occurring on four specific dates first identified in the Original Application – namely Date 1 in 2021, Date 2 in 2020, Date 4 in 2021 and an unspecified day in Month 2 of 2019; and incidents on four further dates first identified in the Narrowed Application in relation to items requesting documents about *all* complaints and police attendances – that is, Dates 5, 6 and 7, and at some stage during a three month period in 2019. I consider that these dates, along with the QPS reference numbers identified by QPS,<sup>45</sup> indicate that the items in the Narrowed Application relate to at least eight different incidents.
  - b. I am also satisfied that the Narrowed Application continues to seek access to an unknown number of other incidents occurring during the four-year period in question, but not specified in either the Original Application or Narrowed Application. It continues to seek documents regarding all complaints made against the applicant since [Month 1] 2019 (a four-year period);<sup>46</sup> all police attendances from [Month 3] 2019 until [Month 4] 2021 at one address, and from [Month 4] 2021 onwards at another address (combined, a four-year period);<sup>47</sup> and all complaints made in person against Individual A by the applicant or anyone else (over an unspecified period, and therefore presumably spanning the four-year period covered by the application).<sup>48</sup> In this regard, I note QPS's advice that its preliminary searches indicate that there have been a number of incidents involving the applicant and Individual A, and the applicant has made numerous complaints against Individual A, which also suggests the occurrence of further unspecified complaints and police attendances beyond the eight matters noted above. I therefore find that further unspecified incidents responsive to the Narrowed Application appear reasonably likely to have occurred during the four-year period – however, on the material before me, the number and nature of these incidents is unknown.
  - c. To the best of my understanding, the Narrowed Application continues to seek various types of documents including different types of video footage (that is, body worn camera

<sup>45</sup> As mentioned in the scope proposed by QPS by email dated 1 February 2024 set out at paragraph 26 above.

<sup>46</sup> Items 6 and 7.

<sup>47</sup> Items 15 and 16.

<sup>48</sup> Item 13.

footage, recordings of statements taken by QPS and video evidence obtained from Individual B);<sup>49</sup> audio recordings of telephone calls;<sup>50</sup> notes and records saved in QPRIME; and various other documents including reports and photographs.

- d. I accept QPS's submission that its document management systems are such that its searches for responsive documents cannot be conducted only in QPRIME. While it is often the case that QPS can use QPRIME to target the searches it conducts of other locations, I acknowledge that using QPRIME in this way in this particular matter is difficult, due to the breadth of incidents, the lack of specificity regarding some incidents, and variety of documents sought. I therefore accept that, in order to identify documents responsive to the Narrowed Application, while further interrogation of QPRIME would be required, relatively broad, unfocussed searches of the following locations would also be necessary: Police Station A; Police Station B; the relevant regional Police Prosecutions unit; Police Communications Centre regarding emergency '000' calls;<sup>51</sup> Policelink regarding non-urgent matters via 131 444 calls and online forms; and Evidence.com regarding body worn camera footage.<sup>52</sup> I also accept that further searches with specialist business units such as QPS's Criminal Investigation Branch, District Intelligence, Scenes of Crime and/or the Vehicle Inspection Unit may be required, where those units are linked to investigation processes in QPRIME for relevant police occurrence numbers. I further observe that, not only would staff of QPS's Right to Information and Privacy Unit (**RTI Unit**) be involved in these further searches, operational staff working at the various locations would also need to conduct searches.
- e. In terms of the yield from these further searches, I consider it reasonable to conclude that a large volume of documents, including multiple video and audio recordings, would be located taking into account just the eight specified incidents, given the nature of those incidents (as evident from descriptions of them provided by the applicant and, in some instances, QPS). If I also consider documents located regarding further unspecified complaints and police attendances, I am satisfied that this already large volume of documents would be even greater. The extent to which this would be the case is, however, difficult to estimate when further unspecified incidents appear reasonably likely, but the number and nature of them is unknown (as noted at paragraph b. above).

35. Generally, estimates of the time and resources required to process an application are acceptable, as precision would mean the agency would have to do the very work the ground for refusal is designed to prevent.<sup>53</sup> The circumstances of this particular review, however, are somewhat unique. Here, it is difficult to formulate estimates because the searches necessary to reach an approximation of the volume of documents, and gain a general understanding of their nature, are themselves part of the work in issue. It is not only relatively difficult to estimate the time and resources required to conduct the searches. Having relatively little information about the volume and nature of documents that will be found also makes it difficult to estimate the time and resources required to process them.<sup>54</sup>

### **Would the impact on QPS's functions be substantial and unreasonable?**

36. The question of whether the impact on an agency's resources would be 'substantial' is a question of fact. In previous decisions, the Information Commissioner has held that relevant factors to consider include:

<sup>49</sup> For 10 items – ie items 1, 2, 4, 5, 6, 7, 11, 14, 15 and 16 (not nine items as submitted by QPS).

<sup>50</sup> For five items – ie items 3, 4, 6, 11 and 13.

<sup>51</sup> See *H40 and Queensland Police Service* [2023] QICmr 30 (28 June 2023) at [20].

<sup>52</sup> See section 4 of QPS's *Digital Electronic Recording of Interviews and Evidence (DERIE) Manual*, effective 5 August 2024, at <<https://www.police.qld.gov.au/sites/default/files/2024-08/DERIE-s.4-Field-Audio-and-Video-Recordings.pdf>> accessed on 12 August 2024.

<sup>53</sup> Refer to *McIntosh v Victoria Police (General)* [2008] VCAT 916 (16 May 2008) at [10] cited in *Underwood and Department of Housing and Public Works* [2016] QICmr 48 (9 December 2016) at [27]; and *60CDYY and Department of Education and Training* [2017] QICmr 52A (7 November 2017) (**60CDYY**) at [25].

<sup>54</sup> I am aware of one previous OIC decision which has considered similar circumstances: *Middleton and Department of Health* (Unreported, Queensland Information Commissioner, 10 June 2011) (**Middleton**).



- the agency's resources and size<sup>55</sup>
- the other functions of the agency;<sup>56</sup> and
- the time required to process the application relative to the legislated processing period of 25 business days.<sup>57</sup>

37. I have noted QPS's resources, size and other functions. QPS's most recent annual report indicates that it employs 16,723 full-time equivalent staff.<sup>58</sup> The QPS RTI Unit comprises a small team within QPS comprised by about 17 to 18 decision makers.<sup>59</sup> The unit processes large volumes of access applications, together with internal reviews and external reviews. Last financial year, QPS received 1410 RTI applications made under the RTI Act, 1840 applications made under the *Information Privacy Act 2009* (Qld), received 97 internal review applications and 207 external review applications.
38. In terms of the time reasonably necessary to deal with the Narrowed Application, I am satisfied that:
- a. *Identifying and locating* relevant documents would take a significant amount of time and resources, taking into account the breadth of incidents regarding which documents are sought, the various types and formats of documents sought, the multiple locations that it would be necessary to search in order to locate them and the likely yield located by the searches (as set out at paragraph 34.e.).
  - b. *Collating* relevant documents would require further time and resources, noting the complexities involved in conducting searches regarding overlapping items observed by QPS to date, and the likelihood that searching seven different locations will lead to some degree of duplication.
  - c. The *rest of the steps* noted at paragraph 16 would take further significant amounts of time and resources, noting the time often involved in deciding whether to give, refuse or defer access to documents, including redacting the personal information of individuals other than the applicant that is likely to appear in the documents or, if disclosure is being considered, undertaking consultation with the relevant parties; and also noting the likelihood of a range of video and audio recordings being among the located documents and the additional work involved in viewing or listening to these, and then redacting them as appropriate (by pixelating footage and removing audio).
39. In the circumstances of this particular review, I am satisfied that, combined, the work involved in dealing with the Narrowed Application as outlined in the preceding paragraph could reasonably be expected to come close to, if not exceed, the entirety of the usual processing period.
40. Notwithstanding the difficulty to formulate estimates in this particular case noted at paragraph 35, in an effort to roughly quantify the work required, I considered previous OIC decisions regarding the issue of substantial and unreasonable diversion.<sup>60</sup> Taking into account the estimates mentioned in these decisions, I arrived at rough estimates, regarding which I then sought QPS's views.<sup>61</sup> Taking into account QPS's input,<sup>62</sup> I am satisfied that

<sup>55</sup> *Middleton and Building Services Authority* (Unreported, Queensland Information Commissioner, 24 December 2010) at [34]- [37].

<sup>56</sup> 60CDYY at [18].

<sup>57</sup> ROM212 and Queensland Fire and Emergency Services [2016] QICmr 35 (9 September 2016) (**ROM212**) at [40].

<sup>58</sup> Page 76 of QPS's 2022-23 Annual Report at <<https://www.police.qld.gov.au/sites/default/files/2023-10/QPS%20Annual%20Report%202022-23.pdf>> accessed on 12 August 2024.

<sup>59</sup> QPS's email dated 1 February 2024 advised at that time, the unit had 17 decision makers, with one position vacant.

<sup>60</sup> Including *L75 and Queensland Police Service* [2020] QICmr 62 (23 October 2020), *X61 and Queensland Police Service* [2020] QICmr 41 (24 July 2020), *Marigliano and Tablelands Regional Council* [2018] QICmr 11 (15 March 2018), 60CDYY, *Angelopoulos and Mackay Hospital and Health Service* [2016] QICmr 47 (8 November 2016), ROM212 and *Middleton*.

<sup>61</sup> Letter dated 20 June 2024.

<sup>62</sup> Email dated 7 August 2024.

the following rough estimates are, in the particular circumstances of this review, reasonable:

- a. For the eight specified incidents, searches across the possible locations noted in paragraph 34.d. above regarding each of the incidents would take, on average, between five and 10 hours – and therefore approximately 60 hours.
  - b. Searches for further, unspecified incidents could also reasonably be expected to take perhaps, on average, five hours to perform a reasonable interrogation of each location across the four-year period, and therefore 35 more hours.
  - c. In terms of the located documents, there will be a degree of duplication due to the overlap between some of the 18 items, as sought by the Narrowed Application, and also due to some documents being stored in more than one of the seven searched locations, and accordingly collating responsive documents will be relatively complex to manage and take at least five hours.
  - d. Five to 10 video and audio recordings would be located and combined, require at least 10 hours to examine, reach a decision and edit as appropriate.<sup>63</sup>
  - e. Further, given the breadth of incidents regarding which documents are sought, at least 500 pages of documents may be located and each page may require roughly two to three minutes to examine, reach a decision and redact – that is, approximately 17 to 25 more hours.<sup>64</sup>
  - f. In addition, if disclosure of other individuals' personal information was being considered, QPS would need to undertake consultation with the named parties, and that this could take several hours.
  - g. Finally, preparing and issuing a final decision could reasonably take about three hours, given the particular circumstances.
41. Given this, I am satisfied that it would take substantial time for an officer of QPS's RTI unit, working solely on this application, to deal with this matter, and this would divert the limited staffing resources, including the staff members within the QPS RTI unit who hold an RTI/IP delegation, from their other day to day work, including dealing with other RTI and IP access applications. I consider the consequent delays in processing other applications and attending to other matters would have a considerable impact on QPS's functions. Also, I am satisfied that searches would take up a significant amount of time of operational staff (including at two police stations, in a prosecution's unit and possibly in a number of specialist business units), and would remove these staff from other duties while they searched.
42. In these circumstances, I am satisfied that the work involved in dealing with the application would, if carried out, *substantially* divert the resources of QPS from their use in the performance of its functions.

<sup>63</sup> In this regard, I note QPS's email dated 7 August 2024, which stated:

*In relation to body worn camera footage, processing this type of document is an extensive process which requires:*

- o *Reviewing the recordings to identify information which is contrary to the public interest to disclose or irrelevant to the application (such as discussions on police radio which do not relate to the applicant's interactions with police).*
- o *Editing the footage to remove information which is contrary to the public interest to disclose or irrelevant. This process includes the removal of both audio and images which is effectively two different types of redactions.*
- o *Reviewing the recordings (post editing) to be satisfied that the redactions are accurate.*

*Further, the mobile nature of the body worn cameras and frequent movement by police officers when wearing the devices adds to the complexity of the editing process, often requiring frame by frame editing. Editing body worn camera footage is more complex than editing static footage such as CCTV. It is not uncommon for the processing time associated with one minute of body worn camera footage to take up to 15 minutes where multiple audio and image redactions are required.*

<sup>64</sup> In this regard, I note QPS's email dated 7 August 2024 which submitted that: *Whilst it is difficult to estimate the number of pages because of the lack of specificity regarding some of the incidents, at least two of the incidents appear to involve a large number of documents. It is not unreasonable to expect that the documents could amount to those estimated.*

43. In determining whether the work involved in dealing with an application is ‘unreasonable’, it is not necessary to show that the extent of the unreasonableness is overwhelming.<sup>65</sup> Rather, it is necessary to weigh up the considerations for and against, and form a balanced judgement of reasonableness, based on objective evidence.<sup>66</sup> Factors that have been taken into account in considering this question include:<sup>67</sup>
- whether the terms of the request offer a sufficiently precise description to permit the agency, as a practical matter, to locate the documents sought
  - the public interest in disclosure of documents
  - whether the request is a reasonably manageable one, giving due but not conclusive, regard to the size of the agency and the extent of its resources usually available for dealing with access applications
  - the agency’s estimate of the number of documents affected by the request, and by extension the number of pages and the amount of officer time
  - the reasonableness or otherwise of the agency’s initial assessment and whether the applicant has taken a cooperative approach in rescoping the application
  - the timelines binding on the agency
  - the degree of certainty that can be attached to the estimate that is made as to the documents affected and hours to be consumed; and in that regard, importantly whether there is a real possibility that processing time may exceed to some degree the estimate first made; and
  - whether the applicant is a repeat applicant to that agency, and the extent to which the present application may have been adequately met by previous applications.
44. I acknowledge the applicant has engaged in discussions with both QPS and OIC in good faith, in an attempt to reduce and clarify the scope of documents sought. However, I must conclude that the concessions and clarifications made by him have not had the effect of reducing the work involved to any significant degree.
45. I also acknowledge that QPS has engaged constructively with the applicant and OIC and taken a cooperative approach in rescoping the application. I accept QPS’s observation about the overlapping nature of many of the 18 items and am satisfied that the Narrowed Application is thus insufficiently precise to permit QPS to locate responsive documents. I further accept QPS’s advice that discrepancies between the circumstances described regarding some of the items and information held by QPS may also hinder the location of documents.
46. The degree of certainty regarding the amount of work involved is relatively low, compared to matters where the approximate volume of documents in issue is known, and therefore there is a real possibility that the actual work involved may exceed expectations. While it could, of course, also be less than anticipated, this seems less likely given the extent and nature of searches required. Accordingly, on the whole, I am satisfied that the work involved is not reasonably manageable. While QPS’s RTI Unit is larger than that of many other agencies, its workload is also larger, and I am satisfied that processing the Narrowed Application would significantly impact its capacity to deal with other applications, including meeting relevant timeframes, and perform other work. Again, I also note that not only would QPS’s RTI Unit be impacted, operational staff in a number of locations would also be required to perform some of the work, that is searches of their particular locations.
47. It is my understanding that the applicant considers there is a strong public interest in disclosure. In this regard, I have noted that the applicant has submitted<sup>68</sup> that he requires

<sup>65</sup> *F60XCX and Department of the Premier and Cabinet* [2016] QICmr 41 (13 October 2016) at [90].

<sup>66</sup> *ROM212* at [42], adopting *Smeaton v Victorian WorkCover Authority (General)* [2012] VCAT 1550 (**Smeaton**) at [30].

<sup>67</sup> *Smeaton* at [39], adapting the factors listed in *Cianfrano v Premier’s Department* [2006] NSWADT 137 at [62] to [63], the latter cited in *Zonneville v Department of Education and Communities* [2016] NSWCATAD 49 at [29]. The factors are not exhaustive.

<sup>68</sup> Emails dated 20 June 2023, 20 September 2023 and 24 October 2023.

access to all the information so that he can review its veracity. He contends QPS actions taken against him indicate that QPS may hold false information about him and is intentionally refusing to deal with his application to cover corrupt conduct. He has raised serious concerns regarding QPS conduct including complaints about the way QPS have dealt with the applicant and his family for the last four years and unfair and biased treatment by QPS. The applicant further submitted:<sup>69</sup>

*[I]t's quite obvious QPS are intent on continuing to conceal the numerous crimes which have been committed against me despite me having requested this information through multiple legal channels and being thwarted at every turn even though these refusals have been an abuse of QPS powers. I have no interest in entertaining further attempts by QPS to stymie my rights and waste my time...*

*The length of my RTI request reflects the sheer amount of harm that false reports, aggravated perjury, and numerous other crimes against me ... which QPS have refused to even investigate despite my formal complaint being lodged in June 2023. QPS have in their possession evidence of these crimes and they are refusing to hand it over. That this evidence is being refused to me is only more proof of QPS bias against me.*

*I reiterate that I have changed my RTI request exactly as QPS asked me to more than once over the last year that this process has gone on with their unreasonable delays and I will not be doing so yet again*

48. While I acknowledge the applicant's concerns, there is no evidence before me to suggest that QPS's intent is to 'conceal the numerous crimes' against the applicant, and such concerns cannot, in my opinion, render the work involved in processing the Narrowed Application reasonable. While I recognise that the applicant has a strong personal interest in obtaining access to the documents, on the information before me, I am not satisfied that it would be reasonable to prioritise this interest over the public interest in the Agency not being diverted from its other operations due to the broad terms of the Narrowed Application.
49. The applicant also submitted that the information was required for current court proceedings and other complaint processes with the Legal Services Commission and the Crime and Corruption Commission. However, information is not released under an access application merely because it is relevant to court or tribunal proceedings or a complaint. The RTI Act process is not an adjunct to such processes; it operates independently of them. In other words, the applicant's access application and the external review process are not part of, linked to or required to assist in any such processes, and there is no scope for me to decide that documents may be disclosed on the basis they are relevant to these processes.
50. I have also noted the applicant's comments that some of the documents sought by him were provided by Police Prosecutions to his former solicitors. I understand that he considers that these documents would be reasonably quick to locate and provide to him directly. I note that copies of any such documents have not been provided by the former solicitors to the applicant, and he has complained about them to the Legal Services Commission. Regardless, further to my above comments about the RTI process not being an adjunct of court processes, it is also relevant to note that a document that might be obtained in full using court processes may only be only partially released (ie with redaction of some information) if obtained via an access application. This is because release under the RTI Act is subject to various limitations, including grounds of refusal such as the contrary to public interest ground which, as already discussed, would need to be considered regarding the personal information and privacy of individuals other than the applicant.

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<sup>69</sup> Email dated 8 March 2024.

51. Taking into account the above considerations, I am satisfied that processing the Narrowed Application would, if carried out, *unreasonably* divert the resources of QPS from their use in the performance of its functions.

### **Conclusion**

52. I am satisfied that OIC has exceeded the procedural requirements of section 42 of the RTI Act which would have applied to QPS, had QPS not been deemed to have made a decision refusing access to all requested information. Further, having carefully considered the particular circumstances of this review as outlined above, I am satisfied the work involved in processing the Narrowed Application would both substantially and unreasonably divert QPS's resources under section 41 of the RTI Act.

### **DECISION**

53. For the reasons set out above, I set aside QPS's deemed refusal of access decision. In substitution, I find that dealing with the Narrowed Application would substantially and unreasonably divert QPS's resources from their use in the performance of its functions, and therefore the ground for refusing to deal with an application in section 41(1)(a) of the RTI Act applies to the Narrowed Application.
54. I have made this decision as a delegate of the Information Commissioner, under section 145 of the RTI Act.

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**A Rickard**  
**Assistant Information Commissioner**

**Date: 12 August 2024**

## Appendix 1

### Significant procedural steps

Date	Event
04 May 2023	OIC received the applicant's application for external review.
04 May 2023	OIC notified QPS and the applicant that the application for external review had been received and requested procedural documents from QPS.
28 May 2023	OIC received the requested procedural documents from QPS.
30 May 2023	OIC received an emailed submission from the applicant.
07 June 2023	OIC notified QPS and the applicant that the application for external review had been accepted.
20 June 2023	OIC received two emailed submissions from the applicant.
06 July 2023	OIC sought submissions from QPS.
28 August 2023	OIC received submissions from QPS.
07 September 2023	OIC conveyed a preliminary view to the applicant.
20 September 2023	OIC received an emailed submission from the applicant.
17 October 2023	OIC confirmed its preliminary view to the applicant.
24 October 2023	OIC received an emailed submission from the applicant.
10 November 2023	OIC received additional submissions from QPS.
21 November 2023	OIC wrote to the applicant about his external review application.
01 February 2024	OIC received submissions from QPS.
23 February 2024	OIC wrote to applicant in relation to the external review.
08 March 2024	OIC received an emailed submission from the applicant.
20 June 2024	OIC requested further submissions from QPS.
7 August 2024	OIC received submissions from QPS.

## Appendix 2

Note – throughout this decision, references to individuals, locations, certain entities, dates and QPS reference numbers have been coded for the purpose of de-identification.

Item	The Original Application	Applicant's submissions about Narrowed Application
1	<p>Body worn camera footage, written notes and reports, device statements of [Individual A], [Individual B], and [Individual C] recorded by, written by, and made to [QPS Officer 1] from ... Police Station [A] taken on [Date 1] 2021 at [land title reference] – QPS "Place of offence" listed as [first street address].</p>	<p>This body worn footage was taken on my property [land title reference] and contains – according to QPRIME – evidence of false and misleading statements made about me to Police. These statements are contradictory to written Statements of Witness taken at a later date. These statements have been made about me and on private property belonging to me. They are evidence of aggravated perjury which I require for legal proceedings. Despite this evidence being requested during those criminal proceedings by my solicitors ... and Barrister ..., it was never provided by Police Prosecutions as is my right under Evidence Discovery rules.</p>
2	<p>Body worn camera footage of Interview recording and device statements with myself [applicant's name], written notes and reports made by [QPS Officer 2] on [Date 1] 2021 at ... Police Station [B]. Entire Police Interview with myself is requested including 2 brief exits by [QPS Officer 2] as well as footage of my booking and release on that same date.</p>	<p>This footage has previously been provided to my solicitors at the time ... on obsolete CD-ROM which I am not able to extract or access as computers have not had disk drives for many years now. I have no idea if the complete interview has been provided including the 2 brief exits mentioned, and this footage is requested on USB so that I can access it as is my right. This is the subject of a complaint currently with the Legal Services Commission.</p>
3	<p>Recording of phone calls made to QPS by [Individual A] and vice versa on [Date 1] 2021 wherein he spoke to [QPS Officer 2] and/or other officers detailing allegations of said incident at [land title reference], written notes, and reports regarding these phone calls.</p>	<p>The phone number in question is [mobile phone number], if access to PoliceLink or 000 is required for this item.</p>
4	<p>Recordings, written notes and records of reports, complaints, allegations, and statements made by [Individual A] about myself which required the dispatch of two QPS officers to the ... home [of Individual A] on [Date 1] 2021.</p>	<p>The phone number in question is [mobile phone number] if access to PoliceLink or 000 is required for this item.</p>
5	<p>All QPS Body worn camera footage, written notes and reports from all QPS officers in attendance to my address [second street address] on [Date 2] 2020. I require all footage/notes/records of my complaint against [Individual A] and subsequent QPS comments made to me, as well as by and to [Individual A] regarding the events of that date when QPS Interviewed [Individual A].</p>	<p>I am happy to narrow the scope of this particular request to body worn footage taken by attending Police after the incident at my home on [Date 2] 2020, as well as related QPRIME reports regarding that attendance, and the subsequent attendance by QPS at the home of [Individual A] at [Individual A's address] regarding the same matter. Specifically, I want to know which QPS member refused to take our report regarding that violent incident at our home, which QPS member asked me "Have you considered giving him what he wants?", and which QPS member advised [Individual A] to make a [particular type of] application against myself and [other named individual] following his stalking of my home and terrorising [other named individual] with his vehicle at our letterbox. This point is evidence of Police bias and is required for legal proceedings as well as my current complaint to the Crime and Corruption Commission.</p>

Item	The Original Application	Applicant's submissions about Narrowed Application
6	<p>Complaints recorded in the QPRIME database made by [Person A] against myself [applicant's name] at ... Police Station [B], ... Police Station [A], or to Police Link or 000 by telephone since [Month 1] 2019.</p>	<p>I am happy to narrow the scope of this request to the phone number [mobile phone number] per the following QPRIME note attached to this email and marked as APPENDIX 1.</p> <p>And request copies of these phone calls as 1. Is related to a false police report made against me and formal complaints of Police bias and 2. I believe contains false statements contradictory to later written statements. I also require QPRIME notes regarding 1. as well as footage of the Police attendance at [land title reference] and interview with [Individual A] and [Individual C] on [Date 4] 2021 during that incident.</p>
7	<p>Complaints recorded in the QPRIME database against myself [applicant's name] at ... Police Station [B], ... Police Station [A], and via phone to 000 or Police Link since [Month 1] 2019.</p>	<p>I am happy to narrow the scope of this item to a false report of stolen goods made against me by [Individual A] associate known by the alias "... " of [associate's address] to [Police Station A] or [Police Station B]. [Individual A] was stopped outside his home on [Date 6] 2019 and interviewed about his attendance at my property. I believe that he made the false Police report at that time. Following this false report, 2 officers from [Police Station A] attended my home without a warrant and requested permission to search my property. I require body cam footage of this false complaint about me downloaded from evidence.com as well as the related QPRIME entries about the false report and the search of my property including the photographs of my property taken by [QPS Officer 1] on his tablet. The unwarranted search of my private property occurred sometime between [three month period in 2019]. I was not given any documents of record at the time this occurred. I also require record of complaints made against me by any members of the public in person at [Police Station B] or [Police Station B – sic] as recorded in QPRIME. Again, this item is part of my Police bias complaint to the CCC and are records of false complaints made to QPS about me.</p>
8	<p>Records of, written notes regarding, and reports about attempts by QPS to obtain the evidence requested by myself in my Disclosure Request under section 590 of the Criminal Code handed to [named individual] at [specified] Courthouse on [Date 3] 2022.</p>	-
9	<p>Record of Blood Alcohol Content reading of [Individual A] AKA [...] on [Date 1] 2021.</p>	<p>This information has never been disclosed to me despite myself and [Individual A] being involved in a vehicle collision on my property on that date for which I was charged. I know that my Barrister ... requested this information from Police Prosecutions as part of Discovery Evidence in 2021 due to [Individual A's] history of drink driving offences and me knowing that he was drunk at the time of the collision, however this was -as far as I am aware – never received. The failure to provide my legal file by my solicitor and barrister is the subject of a formal complaint to Legal Services Commission which is ongoing. QPS have access to this information which they can easily provide if they are not in fact attempting to hide wrongdoing by [Individual A] or bias by their members. I still require this information for legal proceedings.</p>
10	<p>Records of, written notes, and reports regarding the Street Check performed by QPS on [Date 1] 2021 [QPS reference number i.].</p>	<p>This point has been covered by my notes at point 6.</p>



Item	The Original Application	Applicant's submissions about Narrowed Application
11	<i>Record of phone calls, written notes, and reports made to or by QPS regarding myself on [Date 4] 2021 listed as [QPS reference number ii.] Activity report Homicide; Threat to the person as well as Body worn camera footage, device statements, written statements and interviews regarding this activity report.</i>	<i>This point is covered in my notes at point 6.</i>
12	<i>Body worn footage of, records of, written notes, and reports made about the incident at [specified licensed premises] during [Month 2] 2019 involving [Individual A] AKA [...].</i>	<i>I am happy to narrow the scope of this item to QPRIME notes regarding this incident. This item is the subject of an aggravated perjury complaint against [Individual A] and is required for legal proceedings, as well as the formal complaint of Police bias filed with the CCC.</i>
13	<i>Records of, written notes, and reports of all complaints, allegations, and statements to QPS regarding [Individual A] by phone, or in person by all members of the public</i>	<i>I am happy to narrow the scope of this item to complaints made by myself about [Individual A] in person at [Police Station B] multiple times, as well as over the phone from [mobile telephone number] on Date 7 2019. I am aware that people of interest have intelligence files held by QPS, so the numerous reports I made in person regarding [Individual A] should be readily available information if in fact these reports were taken by the QPS members I complained to. I also want all the complaints made against [Individual A] made in person by members of the public at [Police Station B] and [Police Station A] as this information was not disclosed as requested in evidence Discovery to me recently or my legal team in the previous criminal matter.</i>
13(2)	<i>Traffic Record of [Individual A] held by QPS.</i>	<i>This information was requested as part of discovery evidence in 2021 by Barrister ... and has never been provided by Police Prosecutions. It is still required as is my right and for further legal proceedings.</i>
14	<i>Copy of video evidence provided by [Individual B] to [QPS Officer 1] re incident on [Date 1] 2021 at [land title reference].</i>	<i>I have not had this footage given to me by either Police Prosecutions or my solicitors. It is required for legal proceedings and is related to my aggravated perjury complaints as well.</i>
15	<i>QPS attendances at [second street address] recorded against me in QPRIME from [Month 3] 2019 until [Month 4] 2021 including reasons, written notes, body worn camera footage from all QPS officers in attendance, and reports.</i>	<i>I am happy to narrow the scope of this item to the QPRIME reports regarding QPS attendances to this address, as well as the body worn footage of the attendance and subsequent searches of my private property without a warrant by the two [Police Station A] officers as per my notes at point 7. I only require footage of the QPS member's interactions with me and/or [other named individual] while specifically on my private property, as well as the QPRIME reports which they made.</i>
16	<i>QPS attendances at [third street address] recorded against me in QPRIME including reasons, written notes, body worn camera footage, photographs, and related intelligence from all QPS officers in attendance, and reports from [Month 4] 2021 onwards.</i>	<i>I specifically require QPRIME notes regarding attendance at my property by [QPS Officer 1] on [Date 5] 2022, and body worn footage of this attendance. I live in [description of area] so there will not be anyone else visible on that footage unless [reason] and QPS will be able to narrow the scope of that footage per the QPRIME entry attached marked APPENDIX 2. I specifically require the recording of the conversation I had with [QPS Officer 1] as it is related to my formal complaint of Police bias to the CCC.</i>

Item	The Original Application	Applicant's submissions about Narrowed Application
17	<p><i>Copies of all evidence requests and all correspondence from Defence or QPS for myself [applicant's name] and responses by Prosecutions/QPS to Defence or vice versa relating to [QPS reference number iii.] or [QPS reference number iv.] held within QPrime or Police Prosecutions correspondence. I also require copies of all documents, photographs, evidence, bodycam footage and notes regarding these matters recorded in QPrime.</i></p>	<p><i>I no longer require body worn camera footage related to this item and am happy to narrow the scope to information held in QPRIME and by Police Prosecutions about me and my cases specifically which are able to be disclosed per my Right to Information held by QPS and Police Prosecutions about myself.</i></p>