

8 December 2025

Ms Margaret Chambers
Research Fellow, Institute of Public Affairs

eSafety ref: FOI 25266

By email: mchambers@ipa.org.au

Dear Ms Chambers

Decision on your freedom of information request

I refer to your request to the eSafety Commissioner for access to documents under the *Freedom of Information Act 1982* (Cth) (FOI Act).

On 7 November 2025, you sought access to:

"A copy of the monthly bank statements showing expenses charged by the eSafety Commissioner to her official or corporate credit card covering the period from October 2024 to October 2025."

Decision

I am authorised under section 23(1) of the FOI Act to make decisions under that Act.

I have identified 14 documents that fall within the scope of your request, which are listed in the attached schedule. I have decided to exempt parts of each of these documents under sections 47D and 47F of the FOI Act.

Searches for documents

The FOI Act requires that all reasonable steps must be taken to find documents relevant to an FOI request. The eSafety Commissioner's office conducted searches across eSafety's internal systems including Microsoft Outlook and SharePoint.

I am satisfied all reasonable steps were taken to find documents relevant to your request.

Material taken into account

I have taken the following material into account in making my decision:

- your request
- the documents in scope of your request
- the provisions of the FOI Act including sections 11A, 22, 37, 47D and 47F

- advice from eSafety personnel
- guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act.

Reasons for decision

Pursuant to section 22 of the FOI Act, I have redacted information that is exempt from your request as set out below.

Section 37(1)(c) – Documents affecting enforcement of law and protection of public safety

Section 37(1)(c) of the FOI Act provides that a document is exempt if its disclosure would, or could reasonably be expected to endanger the life or physical safety of any person.

Documents 2, 3, 12 and 13 contain the names of hotels where the eSafety Commissioner has stayed while travelling. The eSafety Commissioner is regularly the subject of targeted threats. I consider that disclosing specific hotels where the Commissioner has previously stayed while travelling may allow a third party to predict her whereabouts while travelling in future, and could reasonably be expected to endanger the Commissioner's physical safety in some instances.

I therefore consider that parts of Documents 2 3, 13 and 14 are exempt from release under section 37(1)(c) of the FOI Act.

With respect to hotel charges, I am also advised that a number of these relate to multiple staff and not simply the Commissioner.

Section 47D – financial or property interests of the Commonwealth

Section 47D of the FOI Act provides that a document is conditionally exempt if its disclosure would have a substantial adverse effect on the financial or property interests of the Commonwealth or of an agency.

Each of the 14 documents are bank statements that contain information relating to eSafety's financial operations. In particular, the bank statements display a portion of the eSafety Commissioner's corporate credit card number.

I consider that disclosure of these numbers, either alone or in combination with other pieces of information, could provide third parties with sufficient information to defraud the Commonwealth. I therefore consider that parts of the documents are conditionally exempt from release in part under section 47D of the FOI Act.

Section 47E(d) – certain operations of agencies

Section 47E(d) of the FOI Act provides that a document is conditionally exempt if its disclosure would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

I consider that the release of part of the credit card number would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of eSafety. As detailed above, disclosure of the card numbers could pose security concerns and increase the risk of fraud against the Commonwealth.

I therefore consider that parts of the documents marked in the schedule are conditionally exempt from release in part under section 47E(d) of the FOI Act.

Section 47F – personal privacy

Section 47F of the FOI Act provides that a document is conditionally exempt if its disclosure would involve the unreasonable disclosure of personal information of any person.

‘Personal information’ means information or an opinion about an identified individual, or an individual who is reasonably identifiable (see section 4 of the FOI Act and section 6 of the *Privacy Act 1988* (Cth)).

Whether a disclosure is “unreasonable” requires a consideration of all the circumstances, including the nature of the information that would be disclosed, the circumstances in which the information was obtained, the likelihood of the information being information that the person concerned would not wish to have disclosed without consent, and whether the information has any current relevance.¹

eSafety must also have regard to the following matters (per section 47F(2) of the FOI Act):

- the extent to which the information is well known
- whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document
- the availability of the information from publicly accessible sources
- any other matters that the agency or minister considers relevant.

Document 2 contains the name of a taxi driver who drove the Commissioner while she was travelling in late 2024. I consider that disclosure of this individual’s name would be unreasonable in the circumstances because the information is not well-known, the individual to whom the information relates would not be widely known to have been associated with

¹ *Re Chandra and Minister for Immigration and Ethnic Affairs* [1984] AATA 437.

the matters in that document, and I do not consider this information would be widely available from publicly accessible sources.

I therefore consider that this information is conditionally exempt from release under section 47F of the FOI Act.

Public interest considerations

Under section 11A of the FOI Act, access to a document covered by a conditional exemption must be given unless access to the document would, on balance, be contrary to the public interest.

Section 11B(3) of the FOI Act sets out matters favouring access that must be taken into account in considering whether release is in the public interest.

For all the material identified above as conditionally exempt, I consider that disclosure may generally promote the objectives of the FOI Act, including by increasing scrutiny, discussion, comment and review of the Government's activities.

Against release for material marked as conditionally exempt under sections 47D and 47E(d), I consider that the prevention of fraud against the Commonwealth is firmly within the public interest and that access to credit card numbers is not required to promote effective oversight of public expenditure as detailed in these documents.

Against release, for the material identified as conditionally exempt from disclosure under section 47F of the FOI Act, I consider that there is a strong public interest in maintaining the personal privacy of individuals who deal with eSafety on an incidental basis. Failing to maintain their privacy may result in unwarranted contact or abuse being directed towards such individuals. I also consider that there is negligible public interest in publishing the name of this individual and that the public interest in maintaining their privacy significantly outweighs any public interest in favour of releasing this information.

On balance, I consider there are overriding public interest factors against disclosure of the material I have identified as conditionally exempt. I have therefore decided this material is exempt from disclosure under sections 47D, 47E(d) and 47F of the FOI Act.

I have not taken into account any of the 'irrelevant factors' set out in section 11B(4) of the FOI Act.

Disclosure log and review rights

Section 11C of the FOI Act requires agencies to publish documents released to members of the public on their website within 10 days of release, except if they contain personal or business information that would be unreasonable to publish.

I am of the view that the documents (as redacted) do not contain personal or business information that would be unreasonable to publish. Accordingly, the documents will be published on eSafety's disclosure log.

Please see enclosed information about your review rights.

Yours faithfully

Manager, Legal – Business Services

Attachments

1. Schedule of documents
2. Rights of review

ATTACHMENT 1: SCHEDULE OF DOCUMENTS

Number	Description	Decision on access	Exemptions or deletions
1	Bank statement: 17/09/2024 – 16/10/2024	Exempt in part	s 47D, s 47E(d)
2	Bank statement: 17/10/2024 – 17/11/2024	Exempt in part	s 47D, s 47E(d), s 47F
3	Bank statement: 18/11/2024 – 16/12/2024	Exempt in part	s 47D, s 47E(d)
4	Bank statement: 17/12/2024 – 16/01/2025	Exempt in part	s 47D, s 47E(d)
5	Bank statement: 17/01/2025 – 16/02/2025	Exempt in part	s 47D, s 47E(d)
6	Bank statement: 17/02/2025 – 16/03/2025	Exempt in part	s 47D, s 47E(d)
7	Bank statement: 17/03/2025 – 16/04/2025	Exempt in part	s 47D, s 47E(d)
8	Bank statement: 17/04/2025 – 18/05/2025	Exempt in part	s 47D, s 47E(d)
9	Bank statement: 19/05/2025 – 16/06/2025	Exempt in part	s 47D, s 47E(d)
10	Bank statement: 17/06/2025 – 16/07/2025	Exempt in part	s 47D, s 47E(d)
11	Bank statement: 17/07/2025 – 17/08/2025	Exempt in part	s 47D, s 47E(d)
12	Bank statement: 18/08/2025 – 16/09/2025	Exempt in part	s 47D, s 47E(d)
13	Bank statement: 17/09/2025 – 16/10/2025	Exempt in part	s 47D, s 47E(d)
14	Bank statement: 17/10/2025 – 16/11/2025	Exempt in part	s 47D, s 47E(d)