



NSW Police Force

[REDACTED]

By email: [REDACTED]

28 July 2026

Our Ref: GIPAA-2026-1077028
Your Ref: N/A

Dear Mr Smith

**Government Information (Public Access) Act 2009 (NSW)
Notice of Decision**

1. Summary of access application

I refer to your access application made under the *Government Information (Public Access) Act 2009 (NSW)*, (**GIPA Act**).

In your application received on 8 May 2026 you requested access to the following information:

This application seeks NSW Police operational records relating to the contact made by Officer 'Brendan' (extension 40027) from the Kings Cross Proactive Crime Team with Queensland Health beginning on 25 June 2025 (phone call referral followed by email at 10:53 AM the same day) and continuing on 27 June 2025 (follow-up email at 10:02 AM admitting motive to respond to federal ministerial complaints), the underlying briefing prepared at Kings Cross Police Area Command, and the supporting electronic activity records.

This application is made in addition to and in parallel with a separate application to the Office of the Minister for Police for ministerial-side records concerning the same chain of events. I have routed these two parts separately because NSW Police previously denied that records of the welfare check existed (REV-2025-0858528, 'Not Held') while Queensland Health RTI release JIAU25/13749 has produced the actual referral correspondence from an @police.nsw.gov.au domain.

*Definition of records sought — read all paragraphs together
In this application, 'records' includes (without limitation) emails, email attachments, draft documents, file notes, COPS entries, ViewIMS entries, system access logs, electronic diary entries, calendar entries, internal memoranda, briefing notes, talking points, and any document in any format created or held by NSW Police Force or its staff. I have previously been refused access on the ground that emails are not 'records' — I expressly include emails and all electronic communications in the scope of every paragraph below.*

In this application, references to 'the applicant' or 'Anthony Smith' include all of the following name variants under which I have been identified in NSW Police records:

InfoLink

Office of the General Counsel

Locked Bag 5102 Parramatta NSW 2124

T: 02 8835 6888 **W:** www.police.nsw.gov.au **E:** GIPA@police.nsw.gov.au

TTY: 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000)

Emergency only

POLICE ASSISTANCE LINE (131 444)

For non emergencies

CRIME STOPPERS (1800 333 000)

Report crime anonymously

'Anthony S [redacted] m [redacted] ence [redacted] /
addresses, [redacted] and [redacted].
Searches co [redacted] ca [redacted] ll of the
email addresses, including under name variants used in officer correspondence (such as 'Tony Smith') even if not used in formal COPS entries.

I am seeking access to the following categories of information held by NSW Police Force:

Any report, briefing note, memo, email or written communication prepared by Officer 'Brendan' (Kings Cross Proactive Crime Team), addressed or provided to Inspector Atkins, Detective Chief Inspector David El-Badawi, or any other officer at Kings Cross Police Area Command, in the period 1 March 2025 to 31 July 2025, concerning Anthony Smith (CNI [redacted] complaint reference CASE20237645, charge H81615839, or any complaint by me to a federal or state Member of Parliament. **(Point 1)**

Any document prepared by Inspector Atkins, Commander El-Badawi, or any other officer for the purpose of responding to a ministerial representation from the office of Federal MP Tanya Plibersek concerning Anthony Smith, including the document released at page 103 of GIPAA-2025-0925657 ('Annexures to Report - Advice re Plibersek correspondence') in unredacted form. **(Point 2)**

The full name, badge number, rank and unit of the officer named 'Brendan' in the Kings Cross Proactive Crime Team who authored the email correspondence to Queensland Health Redcliffe-Caboolture Crisis Assessment and Treatment Community MHS dated 25 June 2025 and 27 June 2025, identified by the office telephone extension 40027 (02 8359 0027) and the Kings Cross PAC location 1-15 Elizabeth Bay Road, Elizabeth Bay 2011. **(Point 3)**

Any supervisor approval records, authorisation records, or written instructions relating to the 26 June 2025 referral to Queensland Health, and any records identifying the source of the clinical information included in that referral (including the alleged triple zero call, the alleged 2021 mental health admission, and the alleged 'various DV offences'). **(Point 4)**

All COPS system access logs showing searches conducted by [redacted] Smith, Tony Smith, A Smith, CNI [redacted] or address [redacted] QLD, by any officer at Kings Cross Police Area Command, in the period 1 March 2025 to 31 July 2025, including the officer username, date and time of access, and records viewed. This window captures the days immediately preceding the 25 June 2025 phone call referral to Queensland Health and the days during which follow-up correspondence took place. **(Point 5)**

All email correspondence sent or received by Kings Cross Proactive Crime Team officers to or from any Queensland Health agency, Queensland Police Service unit, or any Queensland government agency in the period 23 to 28 June 2025 concerning the applicant. I note Queensland Health RTI JIAU25/13749 has already produced the following correspondence from your domain which must be located within your records: (a) the email from Officer 'Brendan' (extension 40027) to Queensland Health MHCALL RedCab (MHCALLRedCab@health.qld.gov.au) sent at approximately 10:53 AM on Wednesday 25 June 2025 with the subject 'YOUR PHONE CALL REFERRAL THIS MORNING [SEC=OFFICIAL]' — the subject line establishes that an earlier phone call referral was made the same morning, and I am separately seeking the record of that phone call; (b) the follow-up email from Officer 'Brendan' to Queensland Health MHCALL RedCab sent at 10:02 AM on Friday 27 June 2025 with the subject 'FW: YOUR PHONE CALL REFERRAL THIS MORNING [SEC=OFFICIAL]', which contains the admission 'I need to respond to' the federal ministerial complaints; (c) the inbound email from Queensland Police Service Mental Health Coordinator (mentalhealth.coordmoreton@police.qld.gov.au) or Queensland Health (Lynne Campbell, [redacted] replying to the NSW Police referral, including the Queensland Police feedback document referenced as 'Anthony Smith NSW police referral.pdf' attached to QPS-QH correspondence dated 27 June 2025. I am also seeking any further inbound communications received by NSW Police from Queensland agencies in response to Officer Brendan's referral. **(Point 6)**

Records of the initial telephone call referral made by Officer 'Brendan' (extension 40027, Kings Cross Police Area Command) to Queensland Health on the morning of 25 June 2025 — referenced in the subject line of subsequent email correspondence as 'YOUR PHONE CALL REFERRAL THIS MORNING'. This includes any: (a) NSW Police outbound call log or extension call register for extension 40027 on 25 June 2025; (b) officer notebook entries by Officer Brendan recording the call and its content; (c) any internal memorandum or file note created at Kings Cross PAC documenting the decision to make the call and the information conveyed during the call; (d) any record of approval or supervisor consultation prior to the call being placed. (Point 7)

All six categories relate to a single chain of events between approximately April and July 2025: ministerial complaints reached Kings Cross PAC; a briefing was prepared internally; Officer Brendan contacted Queensland Health within hours of the ministerial referral arriving; Officer Brendan's own follow-up email of 27 June 2025 admitted the referral was made to 'respond to' the ministerial complaints. These events form one continuous course of conduct by the same unit (Kings Cross Proactive Crime Team) responding to the same trigger (ministerial complaint) over the same period.

I draw attention to the fact that my earlier application for these records was refused on the ground that the agency did not hold them (GIPAA-2025-0834658, original decision; REV-2025-0858528, internal review). Queensland Health RTI release JIAU25/13749 has since produced the actual email referral from an @police.nsw.gov.au domain, demonstrating that records do exist within the agency. The previous searches were limited to COPS and CAD only, in the Sydney City area, for a 48-hour window. They did not include officer email inboxes, outgoing correspondence to Queensland agencies, or searches under the name 'Tony Smith' (as used in the referral itself). I request that the searches conducted under this application include those channels.

I note that the above bolded text was added above for ease of referencing.

2. Searches for Information

Under the GIPA Act, NSW Police Force (**NSWPF**) must conduct reasonable searches to locate the government information you seek. A search of NSWPF records has been undertaken to identify all government information falling within the scope of your application. Having regard to the nature of your request, the Infolink Unit has conducted searches within the Computerised Operational Policing System (**COPS**). The results of these searches are listed in the Schedule of Documents included in this Notice of Decision.

An information search request was also sent to Kings Cross Police Area Command, Sydney City Police Area Command, and Technology and Communication Services Command to conduct searches for information that is held within those Commands.

3. Decision

I am authorised by the New South Wales Commissioner of Police to determine applications made under section 9(3) of the GIPA Act.

In regard to point 6 of the scope of your application, I have decided, under sections 58(1)(a) and 58(1)(d) of the GIPA Act, to provide access to the information you seek, except where there is an overriding public interest against disclosure.

In regard to point 3 and point 5 of the scope of your request, I have decided, under section 58(1)(d) of the GIPA Act, to refuse to provide access to the information you seek because there is an overriding public interest against disclosure of the information.

In regard to point 2 of the scope of your application, I have decided, under sections 58(1)(e) and 60(1)(b) of the GIPA Act, to refuse to deal with this part of the application because this agency has already decided on a previous application for the information concerned (or information that is substantially the same as that information) made by you and there are no reasonable grounds for believing that this agency would make a different decision on this application.

The searches conducted for point 1, point 4 and point 7 of the scope of your application did not locate any records matching these descriptions. I have therefore decided, under section 58(1)(b) of the GIPA Act, that the information is not held by this agency.

I have also considered section 74 of the GIPA Act, which allows an agency to withhold information from a record if the deleted information is irrelevant to the application, or is not within the scope, or an agency has decided to refuse access to the information.

In making my decision, I took into account that this agency cannot control how information released under the GIPA Act is used or disseminated.

4. Reason for decision

Public Interest Test

Under section 9(1) of the GIPA Act, you have a legally enforceable right to access the information you seek, unless there is an overriding public interest against its disclosure.

In order to determine whether or not there is an overriding public interest against disclosure of the information I must apply the public interest test.

Section 13 of the GIPA Act sets out the public interest test as follows:

There is an overriding public interest against disclosure of government information for the purposes of this Act if (and only if) there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure.

The public interest test requires that I undertake the following steps:

- I. Identify the public interest considerations in favour of disclosure;
- II. Identify the public interest considerations against disclosure; and
- III. Decide the weight of the public interest considerations in favour of and against disclosure and where the balance between those interests lies.

Public Interest considerations in favour of disclosure

In accordance with section 12 of the GIPA Act, I have taken into account the following public interest considerations in favour of disclosure of the information:

- The statutory presumption in favour of the disclosure of government information.
- The general right of the public to have access to government information held by government agencies.
- The release of the information requested could reasonably be expected to promote accountability and transparency of this agency.
- Disclosure of the information could reasonably be expected to inform the public about the operations of government agencies and, their policies and practices for dealing with members of the public.
- Disclosure of the information is expected to facilitate procedural fairness.
- The information under review includes your personal information and it is in the public interest for you to have access to government information held about you by government agencies.
- The disclosure of information will assist in understanding the investigator's findings and promote accountability of police investigations and actions.

Decision to refuse to deal with application

(1) An agency may refuse to deal with an access application (in whole or in part) for any of the following reasons (and for no other reason):

...

(b) the agency has already decided a previous application for the information concerned (or information that is substantially the same as that information) made by the applicant and there are no reasonable grounds for believing that the agency would make a different decision on the application

I am satisfied that the pre-conditions required by section 60(1)(b) of the GIPA Act are met.

On 21/11/2025, a response to a substantially similar application for information related to point 2 of your scope of request was provided to you in our previous Notice of Decision for application GIPAA-2025-0925657. There are no reasonable grounds for believing that the agency would make a different decision on the application.

In deciding whether to exercise my discretion to deal with the application I have had regard to the following:

The purpose of section 60 of the GIPA Act is to give agencies “flexibility” in the administration and processing of GIPA applications, and that the underlying concern is the sensible and efficient deployment of agency resources – see decision of the NSW Civil and Administrative Tribunal (**NCAT**) in *Commissioner of Police (NSW) v Danis* [2017] NSWCATAP 7. The Tribunal noted section 60 advances the objectives of the GIPA Act. In particular, the object in section 3(2)(b) that discretions be exercised, “*as far as possible, so as to facilitate and encourage, promptly and at the lowest reasonable cost, access to government information*”.

The Tribunal also noted, at [43], when considering a decision to refuse to deal with an access application under section 60(1), that regard should be had, at least in part, to systemic considerations, such as the role that section 60 plays in the avoidance of wasteful deployment of limited resources.

In the light of this, the agency therefore exercises its discretion to refuse to deal with the application in light of the following considerations which predominantly fall on preventing the wasteful deployment of agency resources:

- a. A decision was previously made for substantially similar information and there are no reasonable grounds that this agency would make a different decision. Responding to a GIPA application where a previous decision was made for the same or substantially same information would result in a duplication of work.

Accordingly, I have decided to refuse to deal point 2 of the scope of your application under section 60(1)(b) of the Act.

Public Interest considerations against disclosure

When applying the public interest test, the only public interest considerations against disclosure that I can include are those set out in the table to section 14, and Schedule 1 of the GIPA Act.

Section 14, Clause 1(f)

Clause 1(f) of the section 14 table provides that there is a public interest consideration against the disclosure of information if disclosure of the information could reasonably be expected to *prejudice the effective exercise by an agency of the agency's functions*.

I am satisfied there is a public interest consideration against disclosure of information under clause 1(f) of the section 14 table.

Section 14, Clause 1(f) and 2(b)

Clause 2(b) of the section 14 Table provides that there is a public interest consideration against disclosure of information if disclosure could reasonably be expected to prejudice the prevention, detection or investigation of a contravention or possible contravention of the law or prejudice the enforcement of the law,

The information refused under clause 2(b), includes details of people who accessed records in the COPS database ('COPS audit log') in a particular time frame. Police officers constantly interrogate information in COPS for a range of reasons, to investigate incidents.

A COPS “reverse audit report” or an audit trail in relation to the access of COPS records is generally obtained in the course of investigating a complaint made against members of the NSW Police Force and in detecting whether there has been any improper and unlawful computer access. While people may generally be aware that the NSW Police Force gathers and uses information in COPS, detailed information about access and use is not publicised.

Such information is investigatory information and is kept confidential and must remain confidential because COPS is accessed for a range of reasons to investigate incidents. I consider that revealing the information:

- poses a high risk of compromising this agency's ability to apprehend criminals should the information fall into the wrong hands. If that occurred, it could alert offenders and potential offenders to what the NSW Police Force already knows, which in turn could enable them to avoid detection and subvert police action, thereby jeopardising effective intelligence gathering and the enforcement of the law, and the effectiveness of the investigation and audit process;

- could lead to the identification of police informers or witnesses in police investigations, which would affect the willingness of such persons coming forward and assisting police officers with investigations;
- could lead to the identification of police officers involved in investigating an incident, which could put the safety of those officer and their family members at risk: and.
- could reveal information relevant to a current or completed investigation. A person sighting an audit report could discern whether particular conduct had come to police attention. This information could be used to ascertain whether a particular matter was (or was not) under investigation by police.

These concerns do not necessarily apply to a person in their capacity as an applicant, but rather. the effect of a public interest consideration is to be assessed at a broad operational level – see *Commissioner of Police, NSW Police Force v Camilleri* (GD) [2012] NSWADTAP 19.

I am satisfied there is a public interest consideration against disclosure of information under Clause 2(b) of the section 14 table

Clause 1(f) of the section 14 Table provides that there is a public interest consideration against the disclosure of information if disclosure of the information could reasonably be expected to prejudice the effective exercise by an agency of the agency's functions.

The effectiveness of any law enforcement agency depends heavily on keeping the information in a COPS reverse audit report or an audit trail confidential. The disclosure of information in a COPS audit would enable suspects to avoid detection and subvert police action or otherwise frustrate the exercise of law enforcement functions.

I am satisfied there is a public interest consideration against disclosure of information under Clause 1(f) of the section 14 table.

Section 14, Clause 3(f)

Clause 3(f) provides that that there is a public interest consideration against disclosure of information if disclosure of the information could reasonably be expected to *expose a person to a risk of harm or of serious harassment or serious intimidation*.

The information in the Schedule of Documents refused under clause 3(f) includes details about specific NSWPF officers. Due to the nature of NSWPF officers' duties, exposing information about specific officers could pose a high risk of harm, or of serious harassment or serious intimidation to these individual officers. This would be against the public interest as it would be a contravention of the objectives and duties of the NSWPF to protect public safety.

I have therefore given strong weight to clause 3(f).

Balancing the public interest considerations

On balance, I decided that the section 14 table factors outweigh the section 12 factors and there is an overriding public interest against disclosure of the withheld information.

In making my decision, I have given significant weight to the public interest considerations for release, particularly that the information in the requested records relates to you, and that it could reasonably be expected to promote accountability of police actions and investigations.

I have, however, decided to give the considerations against disclosure greater weight. Disclosure under the GIPA Act is effectively disclosure in the public domain and there is the risk that the information, if disclosed, could be made available in the broader community which could prejudice police investigations and law enforcement functions, could reveal police methodology, and could expose a person to serious harassment or serious intimidation.

5. Review rights

If you are not satisfied with any of the decisions in this notice that are reviewable, you may exercise your review rights under Part 5 of the GIPA Act by requesting:

- an internal review of the decision which must be lodged within 20 working days of the date of this notice, or
- an external review of the decision by the Information Commissioner or the NSW Civil and Administrative Tribunal (NCAT) which must be lodged within 40 working days from the date of this notice.

For further information on your review rights, please visit: <https://www.ipc.nsw.gov.au>

If you have any enquiries in relation to this decision, please contact me on (02) 8835 6888. In any return correspondence, please quote Our Reference Number stated at the top of this notice.

Yours sincerely



Jonathan L
GIPA Case Officer
InfoLink

SCHEDULE OF DOCUMENTS

InfoLink Page No.	Document Description	Format of Record	Location of Record	Decision	Relevant Public Interest consideration(s) against disclosure: T = Section 14 Table
1 – 1	Email dated 25-06-2025	Electronic – PDF	Technology and Communication Services Command	Released in part	T1(f) T3(f)
2 – 2	Email dated 25-06-2025	Electronic – PDF	Technology and Communication Services Command	Released in part	T1(f)
3 – 4	Email dated 27-06-2025	Electronic – PDF	Technology and Communication Services Command	Released in part	T1(f) T3(f)
5 – 9	COPS Audit Report	Electronic – PDF	COPS Database	Refused in full	T1(f) T2(b)

From: T3(f)
To: MHCALL RedCab
Subject: RE: YOUR PHONE CALL REFERRAL THIS MORNING [SEC=OFFICIAL]
Date: Wednesday, 25 June 2025 10:52:36
Attachments: image015.png
image013.png

Good morning

I am after some assistance for a serial complainant to the NSW Police Force, Law Enforcement Commission and the Ministers Office.

Name: Anthony (Tony) Smith
Born: [REDACTED]
Address: [REDACTED] Sydney but now residing at [REDACTED] [REDACTED] QLD
Phone: [REDACTED]
Email: [REDACTED]
Country: [REDACTED] al status are unknown.

He has been charged for various DV offences and on the 10th of June his latest matter was dismissed at court as the victim did not show up. He has a lengthy history of complaining to anyone on one weekend alone sent our command over 11 emails. He has emailed LECC who have told him he will soon be blocked from their server so too has the ministers office.

These complaints are seem to be targeted at the victim in his various DV offences and he complains nothing is being done to arrest the victim and that Smith himself is the victim and not the offender.

In terms of his mental health he last presented to St Vincents Hospital in Darlinghurst in 2021, but a few months ago, he made some self harm threats via triple zero about jumping in front of a train. Since that time he has continued to complain about his court matter and using the complaint process to inform any government agency as to his innocence rather than presenting this evidence at court, as he has been informed. In the event his mental health potentially declines I am seeking some assistance from mental health team to contact, assess Mr Smith and determine the viability of any necessary follow up.

If you require any information please contact via email

Thank you

 T3(f)
Kings Cross Police Area Command
1-15 Elizabeth Bay Road, Elizabeth Bay 2011
E: T1(f) @police.nsw.gov.au P: T1(f) E: 40027 M: T1(f)

For NSWPF Wellbeing Support Services please scan the QR Code



From: MHCALL RedCab <MHCALLRedCab@health.qld.gov.au>
Sent: Wednesday, June 25, 2025 10:41 AM
To: T1(f) @police.nsw.gov.au>
Subject: YOUR PHONE CALL REFERRAL THIS MORNING
Importance: High

Good Morning

I have received a piece of paper advising that you called to refer a client by the name of:

Anthony Smith DOB [REDACTED]
Ph: [REDACTED]

To Redcliffe Caboolture Acute Care Team as he has moved to [REDACTED] and you mentioned something about suicidal threats

Can you please email your referral (complete with consumers full name, DOB, address, phone number, country of birth, marital status) with your request of what you want us to do to the following email address:

mhcallredcab@health.qld.gov.au

That way I can register the consumer into our database and our team can follow him up

Kind regards



Metro North Health acknowledges the Traditional Custodians of the Land upon which we live, work and walk, and pay our respects to Elders both past and present.

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Queensland Health carries out monitoring, scanning and blocking of emails and attachments sent from or to addresses within Queensland Health for the purposes of operating, protecting, maintaining and ensuring appropriate use of its computer network.

From: MHCALL RedCab
To: [redacted] @police.nsw.gov.au
Subject: YOUR PHONE CALL REFERRAL THIS MORNING
Date: Wednesday, 25 June 2025 10:40:59
Attachments: image001.png
image004.png
Importance: High

Good Morning

I have received a piece of paper advising that you called to refer a client by the name of:

Anthony Smith DOB [redacted]
Ph: [redacted]

To Redcliffe Caboolture Acute Care Team as he has moved to [redacted] and you mentioned something about suicidal threats

Can you please email your referral (complete with consumers full name, DOB, address, phone number, country of birth, marital status) with your request of what you want us to do to the following email address:

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Kind regards



[redacted]
[redacted]
Redcliffe Caboolture Acute Care Team (RCACT)
P: (07) [redacted]
E: [redacted]
W: metronorth.health.qld.gov.au
A: [redacted]
Caboolture Hospital
CABOOLTURE



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From: T3(f)
To: MHCALL RedCab
Subject: FW: YOUR PHONE CALL REFERRAL THIS MORNING [SEC=OFFICIAL]
Date: Friday, 27 June 2025 10:01:39
Attachments: image010.png
image013.png

Good Morning,

On Wednesday I sent the below email requesting some assistance and a review of the person below.

Can you please advise me as to the outcome of it?

The reason why I ask is the gentleman as of yesterday, has made further complaints to a Federal Ministers Office and I need to respond to them within the coming days

Thank You

Brendan



For NSWPF Wellbeing Support Services please scan the QR Code



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Sent: Wednesday, June 25, 2025 10:53 AM
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Sent: Wednesday, June 25, 2025 10:41 AM
To: T3(f) @police.nsw.gov.au>
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Importance: High

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Pages 5 through 9 redacted for the following reasons:

T1(f) T2(b)