



eSafety Commissioner's Office
c/o Australian Government Solicitor.

15 December 2025

In the Matter of Future Censorship Notices under Section 109 of the *Online Safety Act 2021 (Cth)*

Dear [REDACTED]

We are concerned to ensure that the horrors of yesterday's terrorist attack in Bondi Beach against the Jewish community are not hidden or censored.

We note that on Friday 12 December 2025, your client indicated they accepted the recent decision of the Classification Review Board in eSafety INV-202505242 concerning the murder of Iryna Zartuska which your client now accepts that they wrongly issued a Section 109 notice in respect of. This includes the Classification Review Board noting that 'the film is a factual record of a significant event that is not presented in a gratuitous, exploitative or offensive manner to the extent that it should be classified RC'. We note that your client misled ourselves and the Tribunal about the existence of those parallel proceedings.

We therefore respectfully request an undertaking that your client will promptly provide to the Free Speech Union of Australia copies of any further Section 109 (*Online Safety Act 2021(Cth)*) notices she issues in the future, including a copy of the censored content. These notices should identify the decision maker in question. In respect of yesterday's events, we expect that Ms Inman Grant will take personal responsibility for any such notices issued, rather than using any delegate.

We also ask for copies of any Section 109 notices that have been recently issued by the Commissioner and any Classification Board referrals. This includes copies of any censored content. If necessary, we rely upon the *Freedom of Information Act 1982 (Cth)*.

We look forward to a prompt response.

Yours sincerely,

Dr R Kirkham

Free Speech Union of Australia