Thursday, 28 March 2024

Ms Julie Inman Grant

eSafety Commissioner

By email: requests@esafety.gov.au,

FOl@esafety.gov.au, [internalreview@esafety.gov.au](mailto:internalreview@esafety.gov.au)

*[Optional:*

Copy by registered mail to:

Internal Review  
eSafety Commissioner  
PO Box Q500  
Queen Victoria Building  
NSW 1230]

Dear Madam,

**Request for Statement of Reasons under section 13 of the *Administrative Decisions (Judicial Review) Act 1977***

I am writing to request a statement of reasons pursuant to section 13 of the *Administrative Decisions (Judicial Review) Act 1977* regarding the removal notice (Your reference ACA-2024-0496095) you issued to X Corp by letter dated 22 March 2024.

The decision to issue the removal notice is a decision to which section 13 of the Act applies, and I am a person who is entitled to make an application under section 5 of the Act in relation to the decision, on the basis that I am “a person who is aggrieved by” the decision within the meaning of the Act.

**Decision to which section 13 of the Act applies**

The decision is a decision to which section 13 of the Act applies because it is a decision to which the Act applies (see subsection 13(11)).

The decision is covered by none of the exclusions in subsection 13(11).

In particular, although the letter sets out purported reasons for the decision, the decision itself does not answer the description in paragraph 13(11)(b) “a decision that includes, or is accompanied by a statement setting out, findings of facts, a reference to the evidence or other material on which those findings were based and the reasons for the decision”.

**Person aggrieved by the decision**

Subparagraph 3(4)(a)(i) provides:

“In this Act:

(a) a reference to a person aggrieved by a decision includes a reference:

(i) to a person whose interests are adversely affected by the decision”.

I am a user of the X platform, and have been following the account @BillboardChris, the user who posted the material that was the subject of the removal notice. Therefore, the decision to issue the removal notice adversely affects my interests by interfering with the rights I have as a citizen that are expressed in Article 19 of the *Universal Declaration of Human Rights* (emphasis added)*:*

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to **seek**, **receive** and impart i**nformation and ideas through any media** and regardless of frontiers.

*[If you are a subscriber to X you can add the following:*

I am also a paying subscriber to the service. Attached is proof of payment for my current subscription. Consequently, the decision also adversely affects my interests by reducing the value I receive for the money I pay for my subscription to X.]

In order for me to assess my options in relation to an application to the Court under section 5 of the Act, I request that a statement of reasons complying with section 13 of the Act be provided to me within the period prescribed by section 13.

Yours sincerely,

*[Your name]*