



**SOUTH AUSTRALIA POLICE**  
KEEPING SA SAFE

Your Ref:  
Our Ref: 18-1171  
Enquiries:  
Telephone: 7322 3347  
Facsimile: 7322 4180

Hon John Darley MLC  
Parliament House  
North Terrace,  
ADELAIDE SA 5000

Dear Hon Darley

**Re: Freedom of Information Act application**

In reference to your application made pursuant to the Freedom of Information (FOI) Act 1991, access was sought to:

*"...I request that you provide to me details of:*

- The number of occurrences SAPOL laid charges as per 31 of the Intervention Order (Prevention of Abuse) Act 2009 for the 2016/2017 financial year.*
- The number of these charges which were withdrawn by prosecution or dismissed by a court.*
- The total financial cost to SAPOL for these dismissed or withdrawn charges.*
- The number of people arrested and the number of people charged by summons in relation to the above charges."*

On 5 January 2018 Sergeant Friend telephoned your office and spoke with [redacted] in a bid to clarify parts of your request. As a result of that conversation [redacted] narrowed the scope of your request seeking access to:

*"...as per 31 of the Intervention Order (Prevention of Abuse) Act 2009 for the 2016/2017 financial year...statistical information showing the number of people charged by arrests or reports and a random selection of 500 files to show dismissals, convictions, charges not laid, pending results and the total cost to SA Police for the dismissed or withdrawn charges."*

**In relation to the following part of your request:**

*"...as per 31 of the Intervention Order (Prevention of Abuse) Act 2009 for the 2016/2017 financial year...the number of people charged by arrests or reports..."*

It is determined that 2364 persons were *arrested* and 688 persons were *reported* for Section 31 - *Contravention of Intervention Order* pursuant to the Intervention Order (Prevention of Abuse) Act 2009 for the 2016/2017 financial year. This data was correct as at 5 February 2018 and care should be taken when interpreting the data as *'final results'* as there may be ongoing investigations which may or may not lead to future *arrests* and *reports*.



It should be noted that on occasions where formal action is required but the circumstances do not warrant the power of arrest to be invoked, due to the criteria for arrest not being met or not deemed necessary, the action of *reporting* the individual may occur. This action will secure the individual's appearance before a court by way of summons.

**In relation to the following part of your request:**

*"...as per 31 of the Intervention Order (Prevention of Abuse) Act 2009 for the 2016/2017 financial year...results of manual researching 500 files to show dismissals, convictions, charges not laid, pending results and the total cost to SA Police."*

It is determined that a manual examination of 500 prosecution files was conducted for matters related to an *arrest* or *report* for Section 31 - *Contravention of Intervention Order* pursuant to the Intervention Order (Prevention of Abuse) Act 2009 for the 2016/2017 financial year. The collated data appears in a table below and was correct as at 5 February 2018.

Dismissals	6
Conviction / without conviction / proved	309
Withdrawn	138
Charges not laid	33
Pending Court	14
Costs awarded against SAPOL	\$17,545

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, will be published on the SAPOL website Disclosure Log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>. If you disagree with publication, please advise the undersigned in writing by 7 March 2018.

**Your rights to review**

If you are dissatisfied with the determination for access to SAPOL records, you are entitled to exercise your right of internal review in accordance with section 29(1) of the FOI Act by completing a PD362 Application for Internal Review form (available upon request at your nearest police station), or an application may be made in writing to SAPOL Freedom of Information Unit. This must be lodged within 30 days from the date of this determination with a fee of \$34.25. Such a fee may be waived in the event of an exemption being claimed.

Yours sincerely,



Senior Sergeant Tracy Gentgall  
Officer in Charge

**Freedom of Information Unit**

(Accredited Freedom of Information Officer)

/ 5 February 2018