



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE

Your Ref:
Our Ref: 21/0099
Enquiries:
Telephone: 7322 3347
Facsimile: 7322 4180

Ms Alison Sandy
Seven Network
560 Sir Samuel Griffith Drive
MOUNT COOT-THA QLD 4066

Email: asandy@seven.com.au

Dear Ms Sandy

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:

"Documents, specifically reports and AV material such as CCTV/video footage and photos, of offences committed relating to COVID-19 since 1 March, 2020 to the date of this application. I'm specifically seeking access to documents containing the following information: - The number and amount in \$ of COVID-19 related fines issued; - A breakdown of the types of offences and where and when they occurred; - Of those, how many were paid and how many are overdue. If a summary document, please limit my application to that and related AV material. Please exclude duplicates, documents that have already been publicly released, media reports/articles/releases and correspondence with media. Please note, I do not consent to documents being deemed irrelevant without consultation and I do consent to edited copies of documents with exempt material redacted or blurred/pixelated."

In relation to the following part of your application:

"...offences committed relating to COVID-19 since 1 March, 2020 to the date of this application. I'm specifically seeking access to documents containing the following information: - The number and amount in \$ of COVID-19 related fines issued; - A breakdown of the types of offences and where and when they occurred; - Of those, how many were paid and how many are overdue..."

It is determined to **refuse access** to this data pursuant to s20(1)(b) of the Freedom of Information Act 1991 which relevantly states:-

"An agency may refuse access to a document if it is a document that is available for inspection at that or some other agency (whether as part of a public register or otherwise) in accordance with Part 2, or in accordance with a legislative instrument other than this Act, whether or not inspection of the document is subject to a fee or charge;"

Data that falls within the scope of your request is published and can be found at <https://data.sa.gov.au/data/dataset/expiation-notice-system-data>

On perusal of the data you will see that *Expiation Offences Codes* appear under *Column 1* of the spreadsheets and these codes correlate with specific legislated offence sections under the Emergency Management (EM) Act 2004. This information has been included below to assist you identify the information you seek.

Section Number	Offence Description	Expiation Offence Code
s28(1) EM Act	Person refuse/fail to comply with requirement or direction during major incident or emergency	L031
S28(2) EM Act	Body corporate refuse/fail to comply with requirement or direction during major incident or emergency	L049

In relation to the following part of your application:

“...Documents, specifically reports and AV material such as CCTV/video footage and photos, of offences committed relating to COVID-19 since 1 March, 2020...”

In order to discover documents that fell within this part of the scope of your request the first twenty (20) exiated matters were searched to identify Expiation Notices that had associated Body Worn Video. The documents located are numbered and described in the following schedule. The schedule contains the details of the determination in compliance with section 23. In particular, note the grounds on which access has been refused, including the reasons which are contained in the schedule. This determination was made on 22 September 2020.

SA POLICE - FREEDOM OF INFORMATION UNIT SCHEDULE				
No.	Document Description	Status	Act	Reason
1	Expiation Notice dated 05/05/2020 and consisting of 1 page.	Part Release	Clauses: 6(1) 12(1)	<p>The redacted text is the personal affairs of parties other than Ms Alison Sandy. The information relates to details such as names, date of birth, home and work address and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable.</p> <p>Pursuant to clause 12(1) of the FOI Act disclosure of the redacted text would constitute an offence against Section 31A of the Emergency Management Act 2004 and Section 5 of the Emergency Management Regulations 2009.</p>

2	Body Worn Video related to Document 1.	Part Release	Clause: 6(1) 12(1)	<p>The redacted images and sound are the personal affairs of parties other than Ms Alison Sandy. The redacted images and sound relates to the image of the place of offence as well as the image and voice of a third party; including details such as name, date of birth, address, occupation, place of offence and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable.</p> <p>Pursuant to clause 12(1) of the FOI Act disclosure of the redacted vision would constitute an offence against Section 31A of the Emergency Management Act 2004 and Section 5 of the Emergency Management Regulations 2009.</p>
3	Expiation Notice dated 28/05/2020 and consisting of 1 page.	Part Release	Clause: 6(1) 12(1)	<p>The redacted text is the personal affairs of parties other than Ms Alison Sandy. The information relates to details such as names, date of birth, home and work address and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable.</p> <p>Pursuant to clause 12(1) of the FOI Act disclosure of the redacted text would constitute an offence against Section 31A of the Emergency Management Act 2004 and Section 5 of the Emergency Management Regulations 2009.</p>
4	Body Worn Video related to Document 3.	Part Release	Clause: 6(1) 12(1)	<p>The redacted images and sound are the personal affairs of parties other than Ms Alison Sandy. The redacted images and sound relates to images and voices of third parties; including details such as personal circumstances, occupation and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable.</p> <p>Pursuant to clause 12(1) of the FOI Act disclosure of the redacted</p>

				vision would constitute an offence against Section 31A of the Emergency Management Act 2004 and Section 5 of the Emergency Management Regulations 2009.
CLAUSES FOR REFUSAL Clause 6(1) of Schedule 1 of the FOI Act which states: <i>"A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)."</i> Clause 12(1) of Schedule 1 of the FOI Act which states: <i>"A document is an exempt document if it contains matter the disclosure of which would constitute an offence against an Act."</i>				

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 https://www.dpc.sa.gov.au/data/assets/pdf_file/0019/20818/PC045-Disclosure-Log-Policy.pdf. If you disagree with publication, please advise the undersigned in writing by 6 November 2020.

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 which can be downloaded from <https://www.police.sa.gov.au/services-and-events/freedom-of-information> or available upon request at your nearest police station. Alternatively an application may be made in writing to the SAPOL Freedom of Information Unit. This application must be lodged within 30 days from the date of this determination with a fee of \$37.50. Such a fee may be waived in the event of an exemption being claimed.

Yours sincerely,


 Senior Sergeant First Class Tracy Gentgall
 Officer in Charge
Freedom of Information Unit
 (Accredited Freedom of Information Officer)

23 September 2020

Expiation of Offences Act 1996
ABN 93 789 021 552

EXPIATION NOTICE

EXPIATION NOTICE NUMBER:

EXEMPT

CROSS REFERENCE
IF APPLICABLE

It is alleged that: EXEMPT

SURNAME: EXEMPT

GIVEN NAME(S): EXEMPT

ADDRESS: EXEMPT

SUBURB / TOWN: EXEMPT

OCCUPATION: EXEMPT

EMPLOYER: EXEMPT

ADDRESS: EXEMPT

at (locality)

on 05052020

committed the following offence(s) expiable by payment to S.A. Police

Offence Code	OFFENCE	Expiation Fee	Levy	TOTAL	No
L031	FAIL TO COMPLY WITH COVID-19 DIRECTION - INDIVIDUAL	1000	60	1060	1
					2
					3
TOTAL AMOUNT PAYABLE				\$ 1060	

Time notice issued 5.22 PM

Date of issue 06052020

Due date for payment 06062020

Issuing Officer T. PAYNE

Rank: S/CONST ID 053686

Location Code MCLAS

Corroborating Officer D. LEYDEN

Rank: S/CONST ID 072696

Location Code MCLAS

LIDAR / RADAR SERIAL NO.:

LAST CALIBRATED: / /

OFFENDER

OWNER DRIVER
PASSENGER BICYCLE
PEDESTRIAN OTHER

LICENCE PARTICULARS

LIC. PRODUCED: Y ☒ N

L/No.:

Class P L CAR BIKE

Other:

State of Issue:

VEHICLE DETAILS

Reg.:

State:

Make:

Type:

Colour:

IF GOODS SEIZED

Approx Weight:

Lodged at:

Property Receipt No.:

VCR No.:

SPEED DETECTION

WHERE OPTIONS ARE PROVIDED, CIRCLE THE APPROPRIATE BOX

LIDAR MOBILE RADAR H/H RADAR

COMMENCEMENT FIELD TEST CONDUCTED BY: AT HRS ON

AT (Location) USING TUNING FORK S/Ns 45 80 110

END FIELD TEST CONDUCTED BY: AT HRS ON

AT (Location) USING TUNING FORK S/Ns 45 80 110

POLICE FLEET NO.: REGISTRATION: MARKED UNMARKED TRAVELLING / FACING N S E W

DISTANCE & DIRECTION FROM NEAREST LANDMARK ROAD RSM METRES / KM N S E W FROM

TRAFFIC LIGHT MEDIUM HEAVY ROAD CONDITIONS DRY WET BITUMEN OTHER WEATHER FINE OVERCAST RAINING

ACCUSED TRAVELLING N S E W LANES LEFT CENTRE RIGHT SINGLE OF (Number) OF LANES STREET LIGHTING Y N NA

ACCUSED SPEED KM/H RANGE METRES TRACKING HISTORY SECS SIGNED DEFAULT AREA OTHER KM/H

CLEAR AUDIBLE TONE Y N REFLECTIVE SIGNS Y N VIEWED SPEED Y N

FLEET SPEED (SPEEDO) PATROL SPEED (RADAR UNIT) SPEEDO TEST DATE RESULTS

PARTICULARS OF OFFENCE(S)

EXEMPT

CAUTIONED YES NO OFFENCE CODE: BWV YES NO B/A READING: FURTHER PAGES YES NO

VETTED BY (SUPERVISOR) S/Sgt Richard ERRINGTON RANK ID 0 DATE 8/5/20

ORIGINAL TO EXPIATION NOTICE BRANCH (178) WITHIN SEVEN (7) DAYS. UNREG / UNINS ORIGINAL BY END OF SHIFT.
TRIPLICATE TO BE RETAINED IN BOOK. PD14708PD319
Revised: 1/05/2018

Expiation of Offences Act 1996

ABN 93 799 021 552

EXPIATION NOTICE

EXPI/EXEMPT

CROSS REFERENCE
IF APPLICABLE

It is alleged that:

SURNAME:

GIVEN NAME(S):

ADDRESS:

SUBURB / TOWN:

POST CODE:

PHONE:

OCCUPATION:

DATE OF BIRTH:

SEX

EMPLOYER:

ADDRESS:

PHONE:

at (locality)

at

on 28 05 2020

committed the following offence(s) expiable by payment to S.A. Police

Offence Code	OFFENCE	Expiation Fee	Levy	TOTAL	No
LO31	Fo.1 to comply with EMA Direction	1000	60	1060	1
					2
					3
TOTAL AMOUNT PAYABLE \$1060					

Time notice issued

Post

Date of Issue

28 05 2020

Due date for payment

28 06 2020

Issuing Officer

JMS

Rank:

S/C

ID

075289

Location Code

LEMS

Corroborating Officer

DIT

Rank:

S/C

ID

074573

Location Code

LEMS

LIDAR / RADAR SERIAL NO.:

LAST CALIBRATED:

SPEED DETECTION

WHERE OPTIONS ARE PROVIDED, CIRCLE THE APPROPRIATE BOX

LIDAR MOBILE RADAR H/H RADAR

COMMENCEMENT FIELD TEST CONDUCTED BY:

AT

HRS ON

AT (Location)

USING TUNING FORK S/Ns 45

80 110

END FIELD TEST CONDUCTED BY:

AT

HRS ON

AT (Location)

USING TUNING FORK S/Ns 45

80 110

POLICE FLEET NO.:

REGISTRATION:

MARKED

UNMARKED

TRAVELLING / FACING N S E W

DISTANCE & DIRECTION FROM NEAREST

LANDMARK

ROAD

RSM

METRES / KM

N S E W

FROM

TRAFFIC

LIGHT

MEDIUM

HEAVY

ROAD CONDITIONS

DRY

WET

BITUMEN

OTHER

WEATHER

FINE

OVERCAST

ACCUSED TRAVELLING

N S E W

LANES

LEFT

CENTRE

RIGHT

SINGLE

OF (Number)

OF LANES

STREET LIGHTING

Y N NA

ACCUSED SPEED

KM/H

RANGE

METRES

TRACKING HISTORY

SECS

SIGNED

DEFAULT

AREA

OTHER

KM/H

CLEAR AUDIBLE TONE

Y N

REFLECTIVE SIGNS

Y N

VIEWED SPEED

Y N

FLEET SPEED (SPEEDO)

PATROL SPEED (RADAR UNIT)

SPEEDO TEST DATE

RESULTS

EXEMPT

PARTICULARS OF OFFENCE(S)

EXEMPT

CAUTIONED YES NO

OFFENCE CODE:

B/WV YES NO

B/A READING:

FURTHER PAGES YES NO

VETTED BY (SUPERVISOR)

GREGH

RANK

A/S

ID

045568

DATE

30.15.2020

ORIGINAL TO EXPIATION NOTICE BRANCH (178) WITHIN SEVEN (7) DAYS. UNREG / UNINS ORIGINAL BY END OF SHIFT.
TRIPLICATE TO BE RETAINED IN BOOK.

PD319

Revised: 1/05/2018