

Your Ref:

Our Ref:

20-1471

Enquiries: Telephone:

7322 3347

Facsimile:

7322 4180

Ms Hayley Gleeson Australian Broadcasting Corporation GPO Box 9994 MELBOURNE VIC 3001

Email: gleeson.hayley@abc.net.au

Dear Ms Gleeson

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:

7.ICE

"I am writing to request documents under the Freedom of Information Act 1991 (FOI Act) relating to police officers who have committed or are being investigated for committing domestic or family violence-related offences. I am requesting the following information: 1. Documents containing information, including statistics, relevant to police officers who have committed domestic or family violence-related offences. In the first instance, if the agency holds a document detailing this information that is produced on a regular basis – for example, quarterly, half-yearly or annually - I am requesting access to that document as it has been produced each year for the past five years (since 2015 inclusive). I am happy to accept information pertaining to calendar years or financial years, depending on how data are recorded. 2. If such a document does not exist, I am requesting documents produced between 2015 and 2019 inclusive containing information about: a. the number of police officers who have been charged with domestic and family violence-related offences b. details of any internal actions taken against officers charged with domestic and family violencerelated offences, including i. any disciplinary action ii. relocation of officers to different stations or roles. Included in the scope of my request, if the information is readily available, is information about the gender and rank of officers charged with domestic and family violencerelated offences. 3. Briefings or reports provided to senior management during 2019 that includes information about police officers perpetrating or committing domestic and family violence related offences."

On 7 May 2020 via email you narrowed the scope of your application to seeking access to:

"...I am requesting copies of incidents or event reports pertaining to South Australian Police officers who were charged with domestic violence-related incidents during the 2019 calendar year. Include in the scope of my request is (a) the gender and rank of officer charged, if available and (b) the specific charge laid."



In relation to the following parts of your narrowed scope:

"...pertaining to South Australian Police officers who were charged with domestic violencerelated incidents during the 2019 calendar year...(a) the gender and rank of officer charged, if available and (b) the specific charge laid."

It is determined to **release in full** statistical data that falls within the scope of your request. The data has been presented in a table below.

Scheduled Document Number	Gender	Rank	Charges
1	Male	Senior Constable	Aggravated Assault
2	Male	Constable	Aggravated Assault
3	Male	Senior Constable	Aggravated Assault
4	Male	Senior Constable	Aggravated Assault
5	Male	Brevet Sergeant	Aggravated Assault

In relation to the following parts of your narrowed scope:

"...I am requesting copies of incidents or event reports pertaining to South Australian Police officers who were charged with domestic violence-related incidents during the 2019 calendar year..."

South Australia Police has located documents 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.

No.	Document Description	Status	Act	Reason
1	Summary Occurrence Report	Part Release	Clause: 6(1)	A portion of the redacted text is the personal affairs of parties. The information relates to details such as names, addresses, dates of birth, relationship details and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable.
				The following factors were considered as to whether or not to disclose the Occurrence Report number and the status of the matters. • I have turned my mind to section 14 of the Victims of

				Original And Occident Directions
				Crime Act 2001 – Protection of Privacy – there should be no unnecessary intrusion on a victims privacy; The Occurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and The very nature of the information would disclose the personal affairs of third parties and identify them as being a victim of crime.
2	Summary Occurrence Report	Part Release	Clause: 6(1)	A portion of the redacted text is the personal affairs of parties. The information relates to details such as names, addresses, dates of birth, relationship details and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable. The following factors were considered as to whether or not to disclose the Occurrence Report number and the status of the matters. • I have turned my mind to section 14 of the Victims of Crime Act 2001 – Protection of Privacy – there should be no unnecessary intrusion on a victims privacy; • The Occurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and • The very nature of the information would disclose the personal affairs of third parties and identify them as being a victim of crime.

3	Summary Occurrence Report	Part Release	Clause: 6(1)	A portion of the redacted text is the personal affairs of parties. The information relates to details such as names, addresses, dates of birth, relationship details and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable. The following factors were considered as to whether or not to disclose the Occurrence Report number and the status of the matters. I have turned my mind to section 14 of the Victims of Crime Act 2001 – Protection of Privacy – there should be no unnecessary intrusion on a victims privacy; The Occurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and The very nature of the information would disclose the personal affairs of third parties and identify them as being a victim of crime.
4	Summary Occurrence Report	Part Release	Clause: 6(1)	A portion of the redacted text is the personal affairs of parties. The information relates to details such as names, addresses, dates of birth, relationship details and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable. The following factors were considered as to whether or not to disclose the Occurrence Report number and the status of the matters. • I have turned my mind to section 14 of the Victims of Crime Act 2001 – Protection of Privacy – there should

intrusion on a victims privacy; The Occurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and the most many occurrence Report Summary Occurrence Release Part Clause: Release Clause: Release Clause: Release Clause: A portion of the redacted text is the personal affairs of parties. The information relates to details such as names, addresses, dates of birth, relationship details and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable. The following factors were considered as to whether or not to disclose the Occurrence Report number and the status of the matters. I have turned my mind to section 14 of the Victims of Crime Act 2001 – Protection of Privacy – there should be no unnecessary intrusion on a victims privacy; The Cocurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and The very nature of the information would disclose the personal affairs of third parties and identify them as being a victim of crime.			be no unnecessary
Release 6(1) personal affairs of parties. The information relates to details such as names, addresses, dates of birth, relationship details and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable. The following factors were considered as to whether or not to disclose the Occurrence Report number and the status of the matters. I have turned my mind to section 14 of the Victims of Crime Act 2001 – Protection of Privacy – there should be no unnecessary intrusion on a victims privacy; The Occurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and The very nature of the information would disclose the personal affairs of third parties and identify them as			intrusion on a victims privacy; The Occurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and The very nature of the information would disclose the personal affairs of third parties and identify them as being a victim of crime.
	5		A portion of the redacted text is the personal affairs of parties. The information relates to details such as names, addresses, dates of birth, relationship details and other identifying information. I am of the view, in all of the circumstances, that disclosure of such information is unreasonable. The following factors were considered as to whether or not to disclose the Occurrence Report number and the status of the matters. • I have turned my mind to section 14 of the Victims of Crime Act 2001 – Protection of Privacy – there should be no unnecessary intrusion on a victims privacy; • The Occurrence Report Number together with other details would disclose the status of the investigation via 'Track My Crime' which is available on line as a service for victims of crime on the SAPOL website; and • The very nature of the information would disclose the personal affairs of third parties and identify them as

CLAUSES FOR REFUSAL

Clause 6(1) of Schedule 1 of the FOI Act which states:

"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)."

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-forgovernment/premier-and-cabinet-circulars. If you disagree with publication, please advise the undersigned in writing by **9 September 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 \$36.75. 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)

JJuly 2020



rinted:#PD7	1765 JOHNSON, K.		Location: SOI	L	Date:02/07/2020 10:40
oc. No:	MPT	Occ. Type:	Domestic abuse - Offence	R	eported Date:
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Occ. No:	EMPT	Occ. Type: Domestic	abuse - Offence	Reported Date: EXEMPT			
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