



**OFFICIAL: Sensitive**

Our Ref: 24-1775  
Telephone: 7322 3347  
Facsimile: 7322 4180



Dear [REDACTED],

**Re: Freedom of Information Act application**

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

*"Please can you send me the section in property gen. order regarding maximum time seized property can be retained. Also, the police property management manual; the general order for cash; and, general order - information - access and release. Thank you."*

On 1 March 2024, in response to my request for you to narrow scope, you amended the scope of your request to the following:

1. *"maximum time seized property can be retained"*
2. *requirements regarding retention extensions*
3. *SAPOL Officer guidelines to adhere to whilst seizing property/cash; documenting seizures*
4. *Guidelines regarding determining property value*
5. *recording / documenting seized property/cash (ie are seized property items / cash photographed & or video recorded?)*
6. *responsibilities of case officer assigned to property regarding returning suspected stolen items once they are deemed otherwise."*

**In relation to parts 1, 3, 4 & 5 of your request**

South Australia Police (SAPOL) has located a document that fall within the scope of your request. The document is 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.



<b>SA POLICE - FREEDOM OF INFORMATION UNIT SCHEDULE</b>				
<b>No.</b>	<b>Document Description</b>	<b>Status</b>	<b>Clause</b>	<b>Reason</b>
1	General Order, Property Date of Issue 13 December 2023	Partial Release	4(2)(a)(v) 4(2)(a)(vi) 4(2)(b)	<p>A portion of the redacted text contains information detailing the location &amp; type of critical infrastructure, property &amp; systems used by SAPOL and the method in which property is stored and moved, the release of which would pose a significant level of risk of malicious damage to those structures, property and persons present at the time.</p> <p>Whilst there may be a public interest in knowing the state of government critical infrastructure, property &amp; systems, there is also a significant public interest in maintaining the integrity of that infrastructure &amp; property to ensure it is kept safe and secure. The absolute requirement for such protection far outweighs any generalised interest in the information and as such I have formed the view that disclosure of such information would, on the balance, be contrary to the public interest.</p>
<p><b>CLAUSES FOR REFUSAL</b></p> <p>Clause 4(2)(a)(v) &amp; 4(2)(a)(vi) of Schedule 1 of the FOI Act which states:  <i>“A document is an exempt document if it contains matter the disclosure of which could reasonably be expected to endanger the security of any building, structure or vehicle; or to prejudice any system or procedure for the protection of persons or property;”</i></p> <p>Clause 4(2)(b) 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, on balance, be contrary to the public interest.”</i></p>				

**In relation to part 2 of your request**

Please note that no documents could be located regarding part 2 of your request relating to extensions of retention periods.

**In relation to part 6 of your request**

South Australia Police (SAPOL) has located a document that falls within the scope of your request. The document is numbered and described in the following schedule. The schedule contains the details of the determination in compliance with section 23

SA POLICE - FREEDOM OF INFORMATION UNIT SCHEDULE		
No.	Document Description	Status
2	Police Regulations 2014	Full Release

Please note: the above document is a public document available online at: <https://www.legislation.sa.gov.au/lz/path=%2FC%2FR%2FPolice%20Regulations%202014> However, in the likelihood that you are unable to access online records whilst incarcerated, I have provided a hard copy of this document for your perusal.

Part 13 of this document may be of interest to you as it details the requirements in relation to Property in the custody of SA Police. This document may provide answers to some of your other concerns that you have regarding police property. I do hope this document assists you.

**Your rights to review**

If you are dissatisfied with this determination, 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 (calendar) days after you receive this letter with a fee of \$40.75, if applicable.

Yours sincerely



Senior Sergeant Kelly Johnson  
Officer in Charge  
**Freedom of Information Unit**  
(Accredited Freedom of Information Officer)

12 April 2024