



**SOUTH AUSTRALIA POLICE**  
KEEPING SA SAFE

Your Ref:  
Our Ref: 19-1822  
Enquiries:  
Telephone: 7322 3347  
Facsimile: 7322 4180

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

Email: [asandy@seven.com.au](mailto:asandy@seven.com.au)

Dear Ms Sandy

**Re: Application for access to South Australia Police records**

I refer to your application received by South Australia Police (SAPOL) in which access was sought to the following information:

*"Documents, specifically reports, ministerial/executive briefing notes and attachments, internal correspondence relating to:*

- 1. Budget cuts;*
  - 2. Changes to procedure due to less money being available to specific units/departments.*
- Timeframe: Since 1 January 2019.*

*Please exclude duplicates, documents that have already been publicly released, media report/articles/releases and correspondence with media. If documents with duplicate information are captured, please limit to just one version of those documents. I confirm I consent to being provided edited copies of documents/footage with personal information such as names and faces redacted/pixelated/blurred."*

In our letter dated 29 May 2019 and emailed to you on the same day, SAPOL advised you that preliminary research had found that the scope of your request was too broad and onerous as the request would involve searches from every Police District and Branch within SAPOL, which would unnecessarily divert the resources of this agency.

SAPOL suggested you narrow the scope of your request to **search for documents relating to budget cuts or modifications to budgets held by SAPOL Executive level, being the Commissioner and Deputy Commissioner.**

On the same day you replied via email: *"..I confirm I agree with your suggested narrowed scope..."*

Documents falling within the scope of your request have been located and 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.



**SA POLICE - FREEDOM OF INFORMATION UNIT SCHEDULE**

No.	Document Description	Status	Act	Reason
1.	Directors Briefing Paper "Supplementary Agency Monitoring Information March 2019", dated 10/4/19 consisting of 4 pages.	Part Release	Clauses: 6(1) 7(1)(c) 9(1)(a)(i) 9(1)(b) 15(a) 15(b)	<b><u>In relation to Document 1</u></b>  A portion of the redacted text in the document marked <b>Out of Scope</b> as it does not fall within the scope of your request
2.	Directors Briefing Paper "Expiation Revenue Forecast 2018-19 as at 31 May 2019", dated 7 June 2019 consisting of 4 pages.		16(1)(a)(iv) 16(1)(b)	<b><u>In relation to all documents</u></b>  The document contains personal affairs of a party other than Alison Sandy. The personal affairs relate to payment of money.
3.	Directors Briefing Paper "Impacting Adjustments to the Department of Treasury and Finance", dated February 2019 consisting of 2 pages.			I have formed the view that, in all of the circumstances, disclosure of this information would be unreasonable.
4.	Commissioner's Briefing Paper "2019-20 Bilateral Carryovers from 2018-19", dated February 2019 consisting of 2 pages.			A portion of the redacted text relates to opinion, advice and recommendations that have been obtained and recorded for the sole purpose of decision making functions with respect to the financial affairs of the Agency.
5.	Directors Briefing Paper "Governance & Capability Service Capital Carryover", dated March 2019 consisting of 1 page.			A portion of the redacted text relates to the financial interests and budget issues of the Agency and the movement of internal allocated funds
6.	Directors Briefing Paper "February 2019 End of Year Capital Forecast", dated March 2019 consisting of 2 pages.			A portion of the redacted text, if released, could have a substantial adverse effect on the financial interests and the effective performance of the Agency's day to day functions
7.	"Statement of Income Statement", dated 12 June 2019 consisting of 3 pages.			The following factors were considered as to whether or not it would be contrary to the public interest to disclose the exempt portions:
8.	Commissioner's Briefing Paper "2018-19 IS&T Capital Budgets", dated March 2019 consisting of 2 pages.			<ul style="list-style-type: none"> <li>• <i>It is my view that the public interest in partial exemption of this document is in the public</i></li> </ul>

<p>9.</p> <p>10.</p>	<p>Commissioner's Briefing Paper "2018-19 Additional Projects added to the Capital Budget", dated 8 April 2019 consisting of 4 pages.</p> <p>South Australia Police "Police Ministers Report" dated April 2019 consisting of 9 pages.</p>			<p><i>interest and far outweighs your individual interest in this matter;</i></p> <ul style="list-style-type: none"> <li><i>It must be borne in mind that release to an individual under the FOI Act is not subject to any limitations as to further disclosure. Documents released under FOI can be used for any purpose, disclosed to other persons, or otherwise publically disseminated. It is therefore said that disclosure pursuant to the FOI Act is disclosure the world at large, or at least potentially so; BRADSHAW V SA POLICE; SA POLICE V BRADSHAW(2012) SADC 184 AT (60) (Judge Muscat) and TREGLOWN V SA POLICE (2011) SADC 139 AT (101) (Judge Herriman)</i></li> <li><i>The discussion and deliberations made with regard to internal financial affairs that may be contained within the exempted text relate to movements of finances throughout the agency and the release of this information may have a substantial adverse effect on the agency's ability to operate</i></li> </ul>
<p>11.</p>	<p>Forwarding Minute Last date 23/4/19 consisting of 1 page.</p>	<p>Full Release</p>		
<p>12.</p> <p>13.</p>	<p>"Crime Service Redirection of Operating Managed Lines to Operating Capital", dated 18/4/19 consisting of 2 pages.</p> <p>Email from Harry Aslanidis dated 18 April</p>	<p>Part Release</p>	<p>Clauses: 7(1)(c) 9(1)(a)(i) 9(1)(b) 15(a) 15(b) 16(1)(a)(iv) 16(1)(b)</p>	<p>A portion of the redacted text relates to opinion, advice and recommendations that have been obtained and recorded for the sole purpose of decision making functions with respect to the financial affairs of the Agency.</p>

14.	<p>2019 consisting of 1 page.</p> <p>Attachment document to document 13- Directors Briefing Paper "Re-Direction of Operating Managed Budget Line to negate cost pressures identified within Crime Service", dated 12/4/2019 consisting of 2 pages.</p>			<p>A portion of the redacted text relates to the financial interests and budget issues of the Agency and the movement of internal allocated funds</p> <p>A portion of the redacted text, if released, could have a substantial adverse effect on the financial interests and the effective performance of the Agency's day to day functions</p> <p>The following factors were considered as to whether or not it would be contrary to the public interest to disclose the exempt portions:</p> <ul style="list-style-type: none"> <li>• <i>It is my view that the public interest in partial exemption of this document is in the public interest and far outweighs your individual interest in this matter;</i></li> <li>• <i>It must be borne in mind that release to an individual under the FOI Act is not subject to any limitations as to further disclosure. Documents released under FOI can be used for any purpose, disclosed to other persons, or otherwise publically disseminated. It is therefore said that disclosure pursuant to the FOI Act is disclosure the world at large, or at least potentially so; BRADSHAW V SA POLICE; SA POLICE V BRADSHAW(2012) SADC 184 AT (60) (Judge Muscat) and TREGLOWN V SA POLICE (2011) SADC 139 AT (101) (Judge Herriman)</i></li> <li>• <i>The discussion and deliberations made with regard to internal financial affairs that may</i></li> </ul>
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				<p><i>be contained within the exempted text relate to movements of finances throughout the agency and the release of this information may have a substantial adverse effect on the agency's ability to operate</i></p>
15.	Minutes Forming Enclosure to Hon Minister for Police, Emergency Services and Correctional Services, dated May 2019, consisting of 3 pages.	Part Release	<p>Clauses: 1(1)(e) 7(1)(c) 9(1)(a)(i) 9(1)(b) 15(a) 15(b) 16(1)(a)(iv) 16(1)(b)</p>	<p>A portion of text within these documents was specifically created for submission to and use of a Minister in relation to matter proposed to be submitted for deliberation and/or a decision of Cabinet</p> <ul style="list-style-type: none"> <li><i>I have formed the view that the documents and text held by SAPOL were prepared as part of the discussion and deliberations as part of the Cabinet sub-committee which are therefore exempt</i></li> <li><i>Release of these documents and text would disclose information concerning deliberation or decision of Cabinet</i></li> </ul> <p>A portion of the redacted text relates to opinion, advice and recommendations that have been obtained and recorded for the sole purpose of decision making functions with respect to the financial affairs of the Agency.</p> <p>A portion of the redacted text relates to the financial interests and budget issues of the Agency and the movement of internal allocated funds</p> <p>A portion of the redacted text, if released, could have a substantial adverse effect on the financial interests and the effective performance of the</p>
16.	Commissioner's Briefing Paper "SAPOL 2019-20 BILATERAL PACK FOR MEETING 8 APRIL 2019", dated May 2019 consisting of 4 pages.			

				<p>Agency's day to day functions</p> <p>The following factors were considered as to whether or not it would be contrary to the public interest to disclose the exempt portions:</p> <ul style="list-style-type: none"> <li>• <i>It is my view that the public interest in partial exemption of this document is in the public interest and far outweighs your individual interest in this matter;</i></li> <li>• <i>It must be borne in mind that release to an individual under the FOI Act is not subject to any limitations as to further disclosure. Documents released under FOI can be used for any purpose, disclosed to other persons, or otherwise publically disseminated. It is therefore said that disclosure pursuant to the FOI Act is disclosure the world at large, or at least potentially so; BRADSHAW V SA POLICE; SA POLICE V BRADSHAW(2012) SADC 184 AT (60) (Judge Muscat) and TREGLOWN V SA POLICE (2011) SADC 139 AT (101) (Judge Herriman)</i></li> <li>• <i>The discussion and deliberations made with regard to internal financial affairs that may be contained within the exempted text relate to movements of finances throughout the agency and the release of this information may have a substantial adverse effect on the agency's ability to operate</i></li> </ul>
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17.	Email from SAPOL:MLO ESB dated 7 February 2019	Refuse Access	Clauses: 1(1)(a) 1(1)(e)	These documents forms part of a submission to Cabinet
18.	Parliamentary Briefing Note dated 27 November 2018			A portion of text within these documents was specifically created for submission to and use of a Minister in relation to matter proposed to be submitted for deliberation and/or a decision of Cabinet
19.	Minutes forming Enclosure – 2019-20 Budget Decisions dated 13 May 2019.			
20.	Budget Measures – Cabinet Document			<ul style="list-style-type: none"> <li>• <i>I have formed the view that the documents and text held by SAPOL were prepared as part of the discussion and deliberations as part of the Cabinet sub-committee which are therefore exempt</i></li> <li>• <i>Release of these documents and text would disclose information concerning deliberation or decision of Cabinet</i></li> </ul>

#### CLAUSES FOR REFUSAL

Clause 1 of Schedule 1 of the FOI Act which states:

- (1) A document is an exempt document— ...*  
*(a) if it is a document that has been specifically prepared for submission to Cabinet or;*  
*(e) if it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet...*

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).”*

Clause 7(1)(c) of Schedule 1 of the FOI Act which states:

*“A document is an exempt document if it contains consisting of information concerning the business, professional, commercial or financial affairs of any agency or any other person; and*  
*The disclosure of which could reasonably be expected to have an adverse effect on those affairs or prejudice the future supply of such information to the Government or agency; and would, on the balance, be contrary to the public interest.”*

Clause 9(1)(a) of Schedule 1 of the FOI Act which states:

*“A document is an exempt document if it contains matter that relates to any opinion advice or recommendation that has been obtained, prepared or recorded; or any consultation or*

*deliberation that has taken place.”*

Clause 9(1)(b) of Schedule 1 of the FOI Act which states:

*“A document is an exempt document if it contains matter the disclosure of which would, on balance, be contrary to the public interest.”*

Clause 15(a) of Schedule 1 of the FOI Act which states:

*“A document is an exempt document if it contains matter that disclosure of which could reasonably be expected to have a substantial adverse effect on the financial or property interests of the State or an agency.”*

Clause 15(b) of Schedule 1 of the FOI Act which states:

*“A document is an exempt document if it contains matter the disclosure of which would, on balance, be contrary to the public interest.”*

Clause 16(1)(a)(iv) of Schedule 1 of the FOI Act which states:

*“A document is an exempt document if it contains matter the disclosure of which could reasonably be expected to have a substantial adverse effect on the effective performance by an agency of the agency's functions.”*

Clause 16(1)(b) of Schedule 1 of the FOI Act which states:

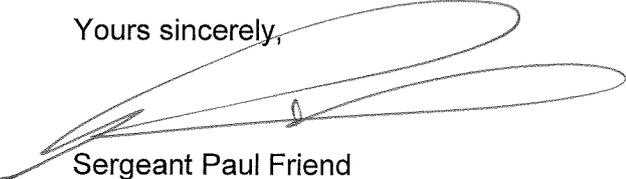
*“A document is an exempt document if it contains matter the disclosure of which would, on balance, be contrary to the public interest”.*

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 14 August 2019.

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,

  
Sergeant Paul Friend  
**FREEDOM OF INFORMATION UNIT**  
(Accredited Freedom of Information Officer)

15<sup>th</sup> July 2019