



**SOUTH AUSTRALIA POLICE**  
KEEPING SA SAFE

Your Ref:  
Our Ref: 20/0409  
Enquiries:  
Telephone: 7322 3347  
Facsimile: 7322 4180

EXEMPT

HIV Justice Network

EXEMPT

EXEMPT

Queensland 4565

Email:

EXEMPT

Dear

EXEMPT

**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:

- "1. Risk assessment matrix used to determine whether blood testing of an accused is required following a prescribed offence where it is likely that a police or emergency services worker or healthcare provider has been exposed to the accused's biological material (section 20B of the Criminal Law (Forensic Procedures) Act 2007)."*
- "2. Other policing documents that might apply, for example, standard operating procedures or guidelines."*

On 4 September 2019 Sergeant Friend from my office spoke with you via telephone regarding the scope of your request. During that call you amended and narrowed the scope to seeking access to:

*"Risk Assessment Matrix as per part one of the original scope".*

South Australia Police (SAPOL) has located a document that is associated with the wording of your FOI application. 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	Act	Reason
1.	PD430A - South Australia Police - Application and Order for Authorising Blood Testing of Certain Persons for Communicable Diseases – Criminal Law (Forensic Procedures) Act 2007 –	Full Release		



	Section 20B – Senior Police Officer Procedure - Risk Matrix – Forensic Procedures – Blood testing for diseases – Draft date 02/09/2019 (pages 3 & 4) consisting of two (2) pages.			
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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 27 September 2019.

Yours sincerely,

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

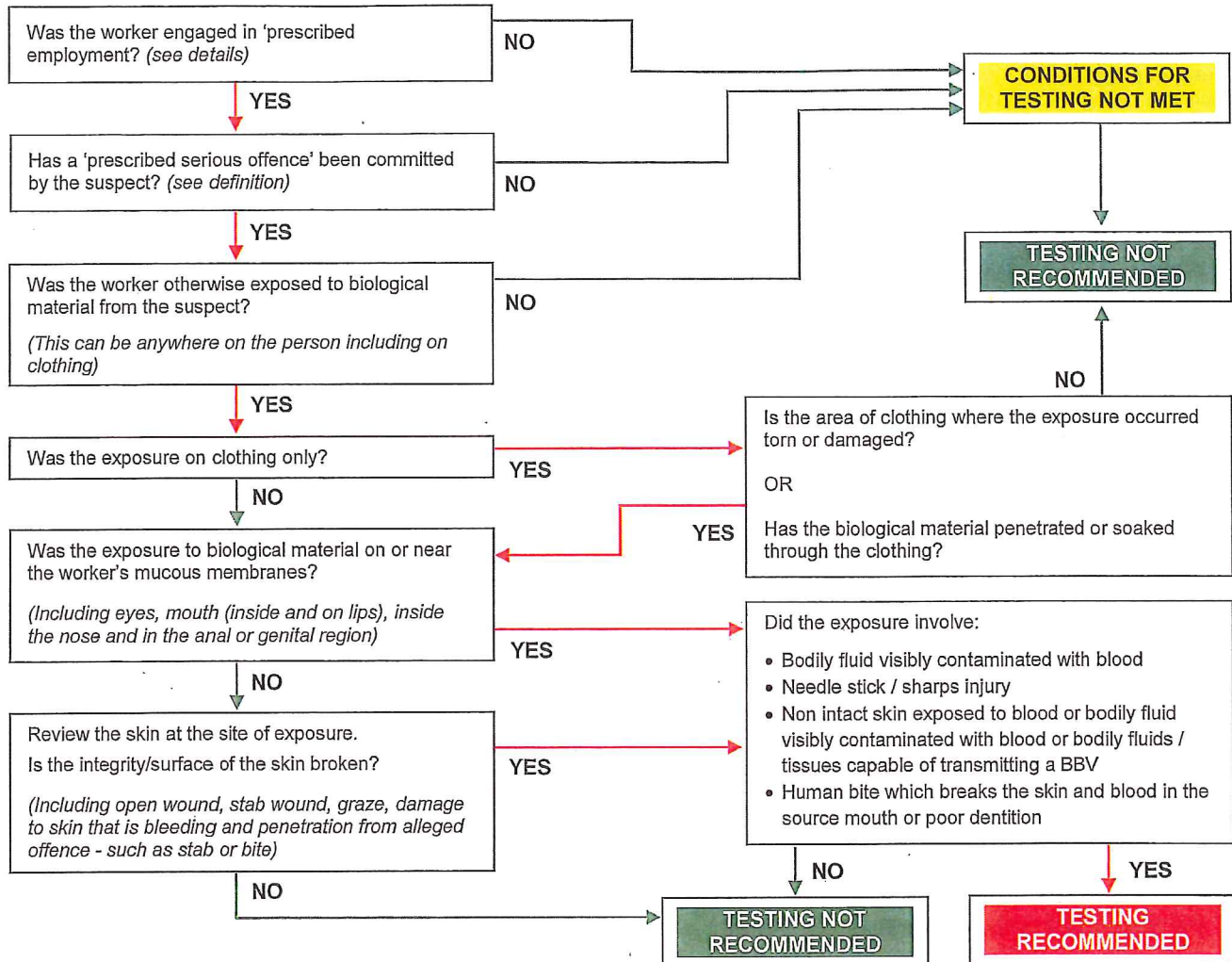
6 September 2019

Doc 1  
 PD430A

South Australia Police  
**APPLICATION AND ORDER FOR AUTHORISING BLOOD TESTING OF  
 CERTAIN PERSONS FOR COMMUNICABLE DISEASES**

Criminal Law (Forensic Procedures) Act 2007 – Section 20B

Senior Police Officer Procedure  
**Risk Matrix – Forensic Procedures – Blood testing for diseases**



**NOTE:** If any doubt exists surrounding the risk, medical advice can be obtained during office hours from SAPOL Employee Assistance Section Ph: 7322 3257 or after hours (on call arrangements) by contacting SAPOL Communications Centre.

**High Risk Exposure Type:**

- Deep needle stick from needle used for venipuncture, blood gasses or other blood withdrawal
- Deep injury from instrument contaminated with concentrated virus
- Extensive and or prolonged contact with blood / visibility contaminated body fluids or fluids / tissue capable of transmitting blood borne virus\*
- Injection or transfusion of potentially infectious fluid

**Moderate Risk Exposure Type:**

- Needle stick / sharps injury where
  - The injury bled spontaneously
  - From a needle visibly contaminated with blood through gloves or less deep needle stick from a needle used for venipuncture, blood gasses or other blood withdrawal
  - Intramuscular injection
  - Cut from scalpel with significant blood exposure
- Contact with blood / visibility bloody body fluids or fluids/ tissues capable of transmitting BBV\* to mucous membranes or to a significant area of non-intact skin

**Low Risk Exposure Type:**

- Needle stick / sharps injury which
  - Did not bleed spontaneously
  - Was a solid sharp, suture needle or probe
  - Was an intradermal injection
  - Was a spontaneous injection
  - Was a small dental needle used for local anesthetic
- Non intact skin exposed to small amount of blood or body fluid visibly contaminated with blood or body fluids / tissues capable of transmitting BBV\*
- Human bite which broke the skin and blood in source mouth or poor dentition

**No Risk Exposure Type:**

- Clean needle stick or sharps
- Intact skin exposed to blood or bodily fluid
- Mucous membranes (eyes, mouth) exposed to bodily fluid (urine, spit, vomit or sputum) not visibly contaminated with blood or fluids capable of transmitting BBV\*
- Human bite or scratch which did not break the skin

\*Body fluids / tissues capable of transmitting blood borne virus (BBV) include cerebro-spinal fluid, synovial fluid, pleural fluid, amniotic fluid, peritoneal fluid, pericardial fluid, semen and vaginal secretions and tissues and laboratory specimens that contain concentrated virus

**DISTRIBUTION:**

- ORIGINAL – Applicant or Investigating Officer
- COPY – Suspect
- COPY – Senior Police Officer
- COPY – Employee Assistance Section (58)



PD430A

South Australia Police  
**APPLICATION AND ORDER FOR AUTHORISING BLOOD TESTING OF  
CERTAIN PERSONS FOR COMMUNICABLE DISEASES**  
**Criminal Law (Forensic Procedures) Act 2007 – Section 20B**

**Definitions**

**"Biological Material"** is blood, bodily fluids or any other biological material of the person that is capable of communicating or transmitting a disease.

**"Emergency Worker"** is the person who has potentially been the subject of a prescribed serious offence, and is being assessed for exposure to biological material

**"Suspect"** is the person who has allegedly committed a prescribed serious offence and may be required to undergo testing.

**"Prescribed employment"**

- a. employment as a police officer;
- b. employment in 'emergency work' (whether carried out for remuneration or on a voluntary basis);
- c. employment as a medical practitioner in a hospital;
- d. employment as a nurse or midwife in a hospital;
- e. employment in the provision of assistance or services, in a hospital, to a medical practitioner, nurse or midwife acting in the course of his or her employment in the hospital
- f. employment as an officer or employee of the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the *Correctional Services Act 1982*

**"Emergency work"** means work carried out (whether or not in response to an emergency) by or on behalf of an 'emergency services provider'

**"Emergency services provider" means:**

- a. South Australian Country Fire Service; or
- b. South Australian Metropolitan Fire Service; or
- c. South Australian State Emergency Service; or
- d. SA Ambulance Service Inc; or
- e. St John Ambulance Australia South Australia Incorporated; or
- f. Surf Life Saving South Australia Incorporated; or
- g. a volunteer marine rescue association accredited by the State Marine Rescue Committee to perform search and rescue functions; or
- h. the accident or emergency department of a hospital.

**"Prescribed serious offence"**

- a. Assault – S.20 CLCA
- b. Cause serious harm – S.23 CLCA
- c. Cause harm – S.24 CLCA
- d. Acts endangering life or creating risk of serious harm – S.29 CLCA
- e. Offences relating to public order – riot and affray – S.83 and S83C CLCA
- f. Assaulting and hindering police – S.6A SOA
- g. Violent disorder