



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE

Your Ref:
Our Ref: 18/0790
Enquiries:
Telephone: 7322 3347
Facsimile: 7322 4180

Hon Stephan Knoll MP
129A Murray Street
TANUNDA SA 5352

Email: Schubert@parliament.sa.gov.au

Dear Hon Knoll

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:

"A copy of the police risk assessment for Adelaide's West End."

It is determined to **release in full** Commissioners Briefing Paper dated 2 November 2017 including four (4) appendices. It should be noted that a small portion of text has been redacted and marked as **'Out of Scope'** as it does not relate to the scope of your request. On the face of the document it is clear that the redacted text relates to telephone numbers.

In accordance with Premier and Cabinet Circular PC045, details of the FOI application, and the documents to which access has been given, will be published on 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>.

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 (available upon request at your nearest police station), or an application may be made in writing to SAPOL Freedom of Information Unit. This must be lodged within 30 days from the date of this determination with a fee of \$34.25. Such a fee may be waived in the event of an exemption being claimed.

Yours sincerely,


Senior Sergeant Tracy Gentgall
Officer in Charge

Freedom of Information Unit
(Accredited Freedom of Information Officer)

12 December 2017



COMMISSIONERS BRIEFING PAPER

SUBJECT: Declaration of a Public Precinct vide Section 66N of the *Summary Offences Act, 1953*

REFERENCE: PCO No. 2015/3642

Purpose

To seek a "declaration of public precinct" determination vide Part 14B, Section 66N of the *Summary Offences Act, 1953*, relative to public places contained within the geographical area known as 'City West' on a recurring basis to maintain public order and safety.

Background

The *Summary Offences (Declared Public Precincts) Amendment Act* passed the Parliament on 15 February 2017 and received Royal Assent on 28 February 2017. The legislation became operational on 1 May 2017.

SAPOL has taken responsibility for the operational aspects of the legislation including conducting a review of area(s) that would meet the criteria as stipulated within the Act for the making of a determination.

The safety of the community is the tenet on which SAPOL is founded. The enforcement of legislation (that protects the community from harm) is at the core of policing and therefore the appropriate (evidence based) use of this legislation should be actioned whenever the Commissioner of Police deems operationally necessary.

Evidence to support a determination

The detail contained in this area of the paper will be the information on which SAPOL rely to provide evidence to the Attorney-General on which to make a determination.

The evidence demonstrates that the proposed area provides a reasonable likelihood of conduct in the area posing a risk to public order and safety and that the area is reasonable having regard to the identified risk.

Analysis of various data sets, augmented by intelligence analysis, has identified the area contained within the boundaries of North Terrace, West Terrace, Currie Street and King William Street, Adelaide to have a heightened risk to public order and safety during the hours of 6.00 p.m. and 6.00 a.m. each Friday and Saturday.

The analysis included data from expiation notices and offences (against the person/good order) which directly related to public order and safety.. These data sets are defined as follows:

- Expiations
 - Consume liquor in a public place contrary to prohibition (G064)
 - Possess liquor in a public place contrary to prohibition (G065)
 - Offensive/disorderly behaviour in or near licensed premises (G142)

- Urinate or defecate in a public place (M040)
- Offences (against the person)
 - Aggravated robbery
 - Aggravated sexual assault
 - Assault police
 - Common assault
 - Non-aggravated robbery
 - Non-aggravated sexual assault
 - Non-assaultive sexual offences
 - Other acts intended to cause injury
 - Serious assault not relating in injury
 - Serious assault resulting in injury
 - Threatening behaviour
- Offences (against good order)
 - Deal/Traffic/Sell drug
 - Disorderly behaviour
 - Offensive behaviour
 - Other drug
 - Other public order
 - Possess/Use drug
 - Produce/Manufacture drug
 - Prohibited weapons/explosives
 - Regulated weapons/explosives
 - Riot and affray

Data for the above mentioned categories was collated for the suburb of Adelaide for the 2015 and 2016 calendar years. An evaluation of the data comparative to (2015 v 2016) enabled factual trend analysis to be made.

The analysis focused on determining what day(s) of the week (if any) within the suburb of Adelaide created the greatest likelihood of conduct in the area posing a risk to public safety and good order. The days were displayed by data volume for each category (expiation notices and offences (against the person/good order) and have been displayed as Table 1 attached as Appendix A to this briefing paper.

The analysis identified that Friday, Saturday and Sunday (morning) were the most prevalent days for the greatest occurrence of conduct detailed in each category (expiation notices and offences (against the person/good order). The data was then interrogated to determine when (by hour) the conduct was occurring and is displayed in Table 2 attached as Appendix B to this briefing paper.

A geographical analysis was conducted of the suburb of Adelaide to determine the location(s) (by street) that had the highest (top 10) prevalence of conduct posing a risk to public safety and good order in each category (expiation notices and offences (against the person/good order). This information is contained in Table 3 which is attached as Appendix C to this briefing paper.

The data analysis demonstrates that the greatest likelihood of conduct posing a risk to public safety and good order occurs within the streets identified in Appendix C and may have an effect on the immediate environs surrounding these streets. Therefore, an area bounded by North Terrace, West Terrace, Currie Street and King William Street, Adelaide during the

hours of 6.00 p.m. and 6.00 a.m. each Friday and Saturday is prudent for the application of a declared public precinct. For ease of reference the stated geographical area is referred to as 'City West'.

Persons utilising the public space within the 'City West' area between 6.00 p.m. and 6.00 a.m. each Friday and Saturday are at least twice as likely to be victims of offences against the person and good order and/or three times as likely to be exposed to behaviour not in keeping with normal community standards e.g. offensive or disorderly behaviour & persons urinating in a public place, than any other time of the week.

The *Summary Offences (Declared Public Precincts) Act, 2017* provides authorities to SAPOL to maintain public order and safety in a 'declared public precinct'. As outlined, the public areas of 'City West' are in need of enhanced policing authorities to ensure public order and safety is maintained. A 'declared public precinct' determination for the 'City West' area will enhance the ability of SAPOL to best manage conduct that poses a risk to public order and safety for members of the community using this space.

It is proposed SAPOL seek a determination in respect of the public places, described below, as a 'Declared Public Precinct' under Part 14B, Section 66N of the *Summary Offences Act, 1953*:

The area identified in 'Map 1 – City West' (attached as Appendix D).

All public areas inside the area encompassing the following borders;

- Northern boundary of North Terrace to western boundary of West Terrace.
- Western boundary of West Terrace to southern boundary of Currie Street.
- Southern boundary of Currie Street to eastern boundary of King William Street.
- Eastern boundary of King William Street to northern boundary of North Terrace.

SAPOL request that the afore described area be determined in need of a declared public precinct to enhance community safety for a period of 12 hours from 6:00pm on each Friday and for a period of 12 hours from 6:00 pm on each Saturday commencing on Friday 10 November 2017, recurring for each described time and day of the week until declared otherwise or until 6:00 am on Sunday 11 November 2018, whichever occurs sooner.

Section 66N(5) of the Act states that if the Attorney-General makes a determination relevant to a declared public precinct, the Attorney-General, must cause notice of the declaration to be published on a website (determined by the Attorney-General), to which the public has access free of charge. If a determination is made the declared area will be published on the SAPOL internet page, in accordance with the Act.

A declared public precinct must not be for a period more than 12 hours in any 24 hour period unless the Attorney-General is satisfied that special circumstances exist in the particular case. If a determination is made the Attorney-General has requested SAPOL cause the area to be signposted (not a requirement of *'the Act'*) to inform the public they have entered a declared public precinct.

Resource Impact

Any determination authorised by the Attorney-General will be assessed to determine the policing response provided by SAPOL. A determination enables the following powers provided by Section 66 of the Act to be exercised by police:

- conduct a metal detector search of a person and any property in their possession within a declared public precinct for the presence of weapons
- carry out general drug detection in relation to any person present within a declared public precinct
- order a person / group posing a risk to public order and safety to leave the declared public precinct
- ban a person who commits an offence of a kind that may pose a risk to public order and safety, or behaves in an offensive or disorderly manner within a declared public precinct
- remove children from the declared public precinct who are in danger of physical harm or abuse, behaving in an offensive or disorderly manner, or otherwise committing or about to commit an offence

Consultation

Consultation has been conducted with representatives of the Adelaide City Council (ACC) and the Department for Child Protection (DCP) in respect to informing them of the proposed use of the legislation within the 'City West' area.

Consultation has also taken place with the ACC to determine appropriate signage for the proposed 'City West' precinct. While signage will not be erected in time for the first proposed use of this legislation, it is anticipated that signage should be erected by December 2017. There is no requirement for signage of a declared public precinct within the Act; however the Attorney General has requested signage for the first declared area.

In accordance with Section 66N(5) of the Act a notice of the determination will be published on the SAPOL internet page to inform the community.

The Attorney General has requested a joint media release with SAPOL prior to the first declared public precinct determination. It is anticipated that this media briefing will occur within the Adelaide CBD in early November, 2017 and consultation is currently occurring with Media and Public Engagement Section to coordinate the media release.

Recommendation

- The Commissioner notes the contents of this briefing paper.
- The Commissioner requests that the Attorney-General makes a determination under Section 66N of the *Summary Offences Act, 1953* for the area identified as 'City West', as being in need of 'declared public precinct'.

Noted

Approved / Not Approved

- The Commissioner requests that the period of the determination is from 6.00pm on Friday 10 November 2017 to 6.00am on Saturday 11 November 2017 and 6.00pm on Saturday 11 November 2017 to 6.00am on Sunday 12 November 2017, local time.

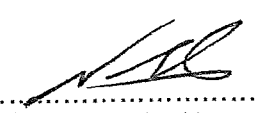
Approved / Not Approved

- The Commissioner requests that the period of the determination is reoccurring for each described day and time of the week until declared otherwise or until 6:00 am on Sunday 11 November 2018, whichever occurs sooner.

Approved / Not Approved


Contact: Senior Sergeant First Class Damien Epps
Organisational Reform Program
Telephone: Out of Scope
Ref: PCO 2015/3642
Date: 30 October 2017

Recommended:


Noel Bamford
Assistant Commissioner
Security and Emergency Management Service

2 November 2017

Approved:


(Grant Stevens)
COMMISSIONER OF POLICE

2 November 2017

Appendices: Yes

Appendix A – Table 1 Expiation notices and offences against the person and good order
(day of week)

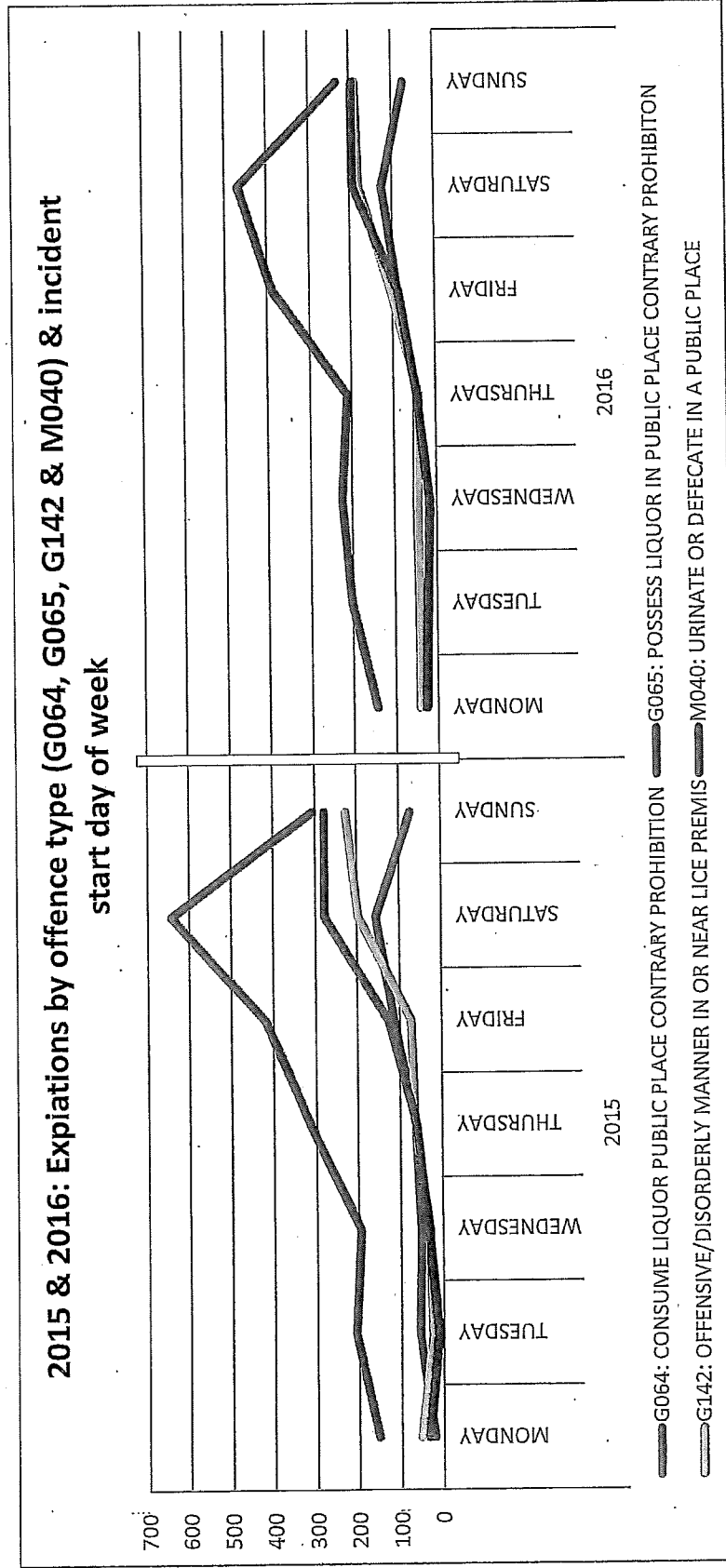
Appendix B – Table 2 Expiation notices and offences against the person and good order
(hour of day – Fridays, Saturdays & Sundays)

Appendix C – Table 3 Expiation notices and offences against the person and good order
(street locations – Fridays, Saturdays & Sundays)

Appendix D Map of 'City West' Declared Public Precinct

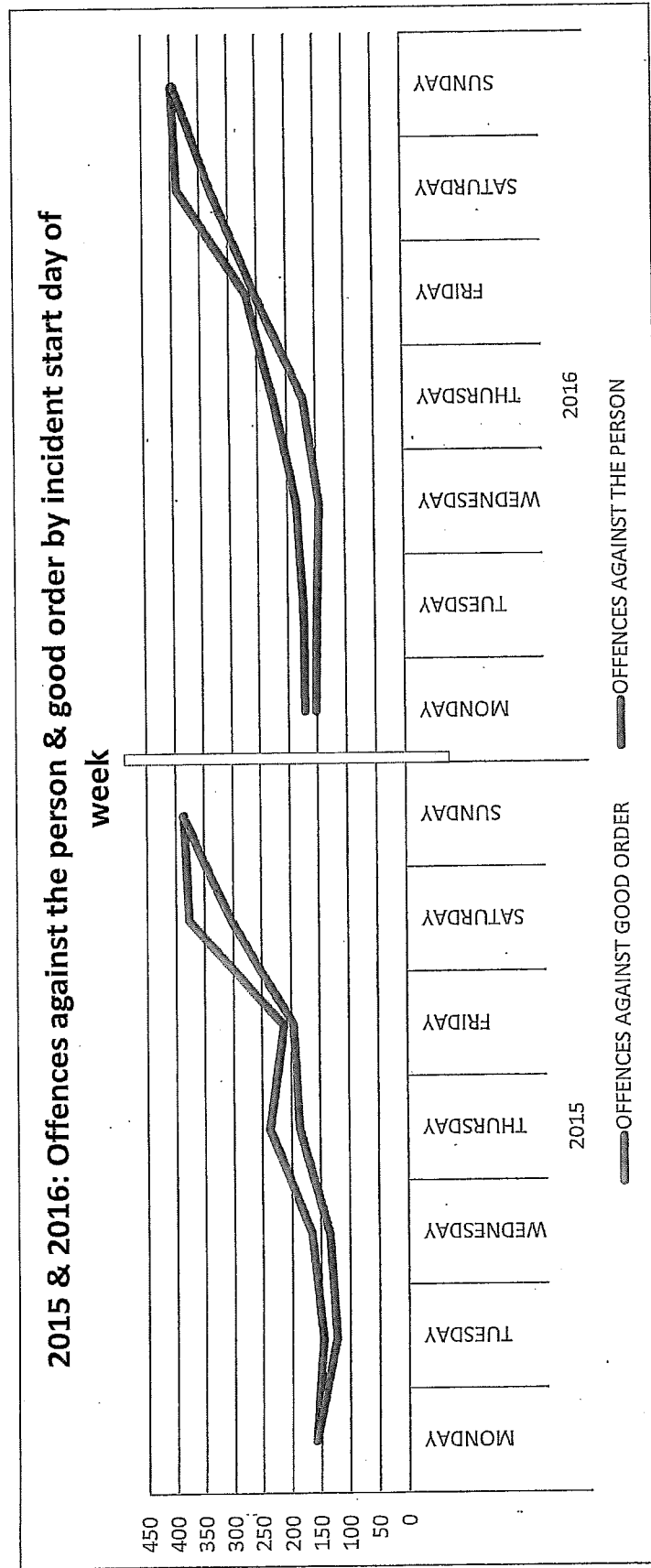
Appendix A

Table 1 – Expiration notices (day of week)



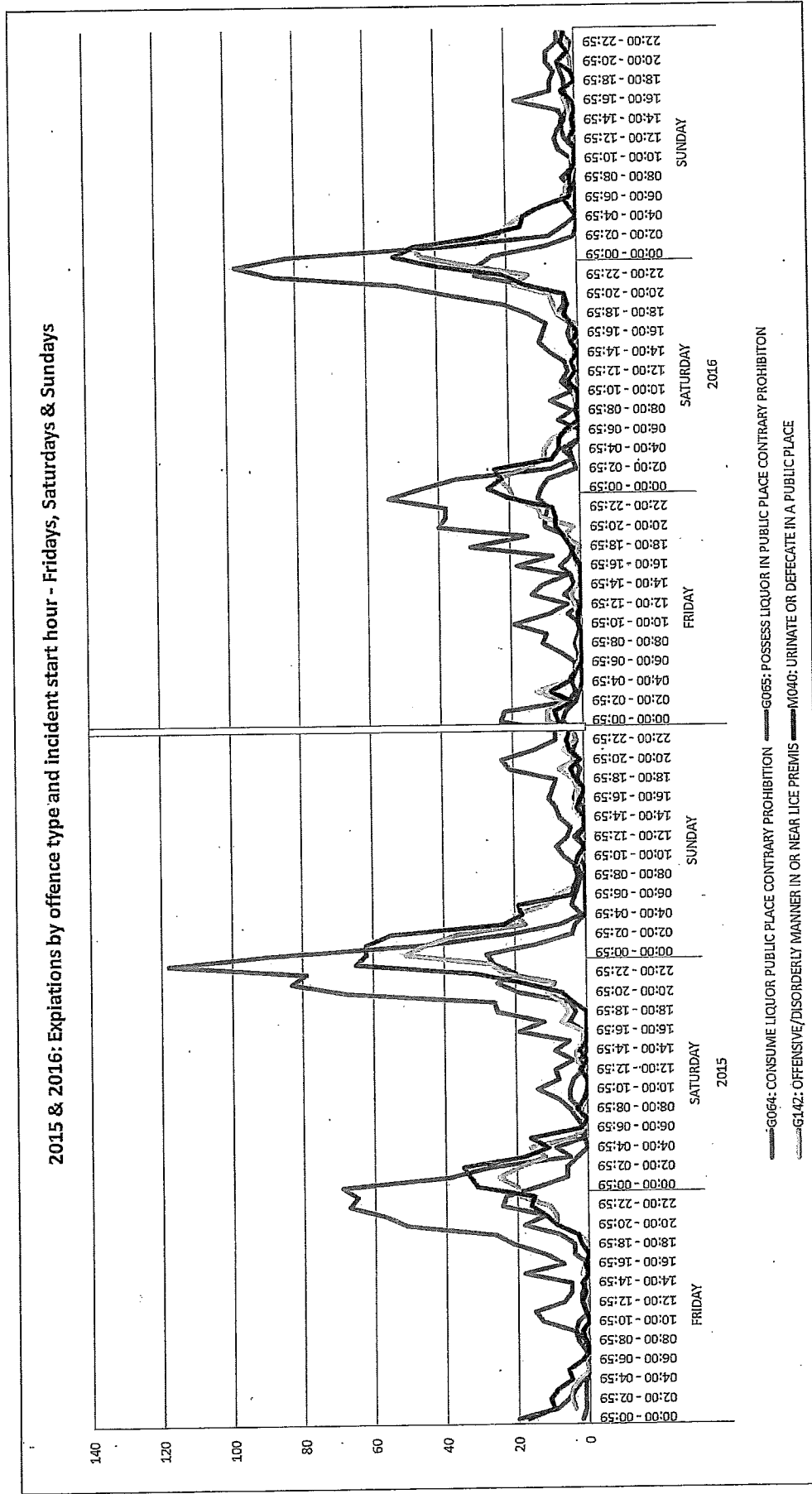
Appendix A

Table 1 – Offences against the person and good order (day of week)



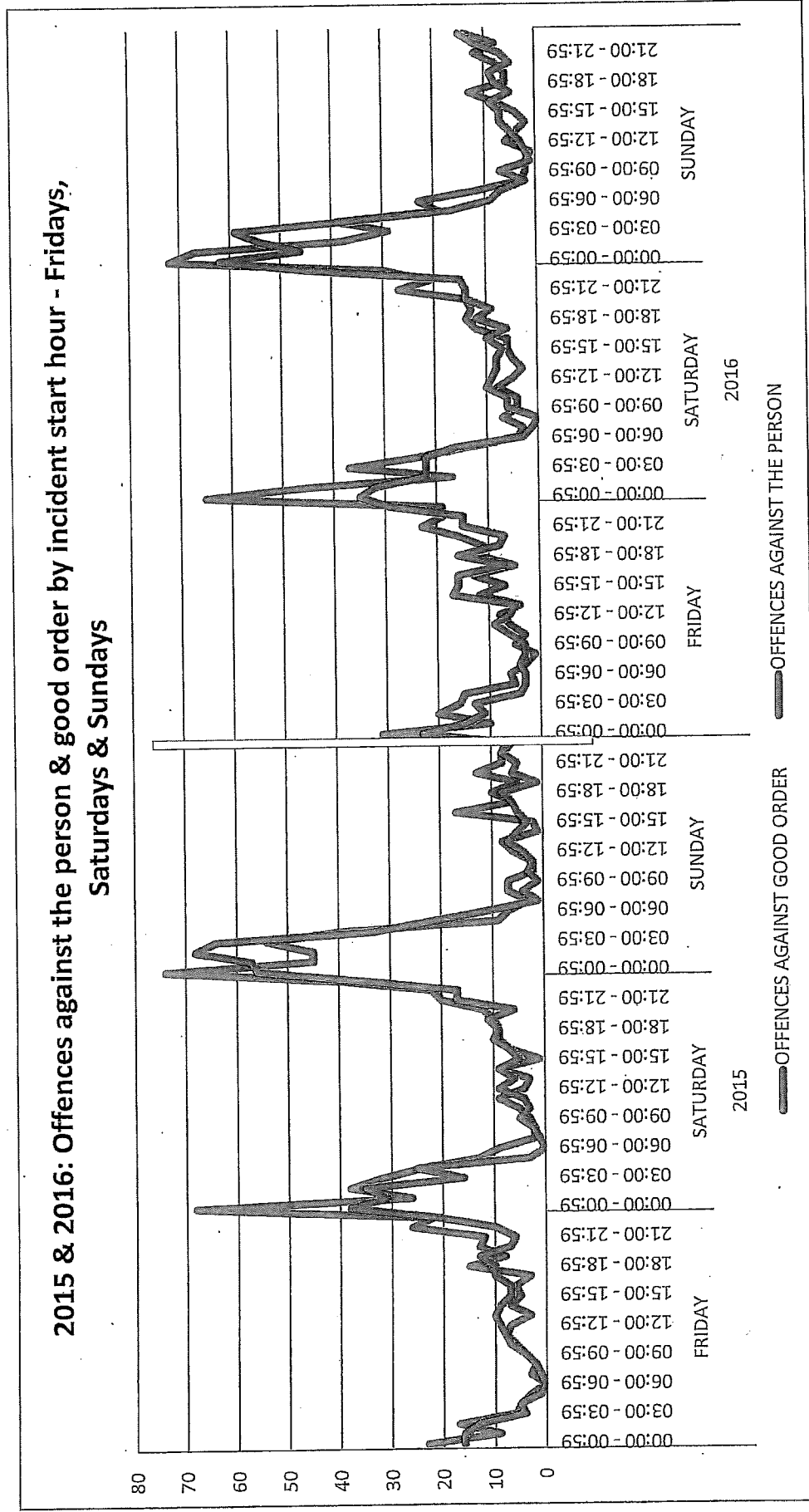
APPENDIX B

Table 2 - -Expiation notices (hour of day – Fridays, Saturdays & Sundays)



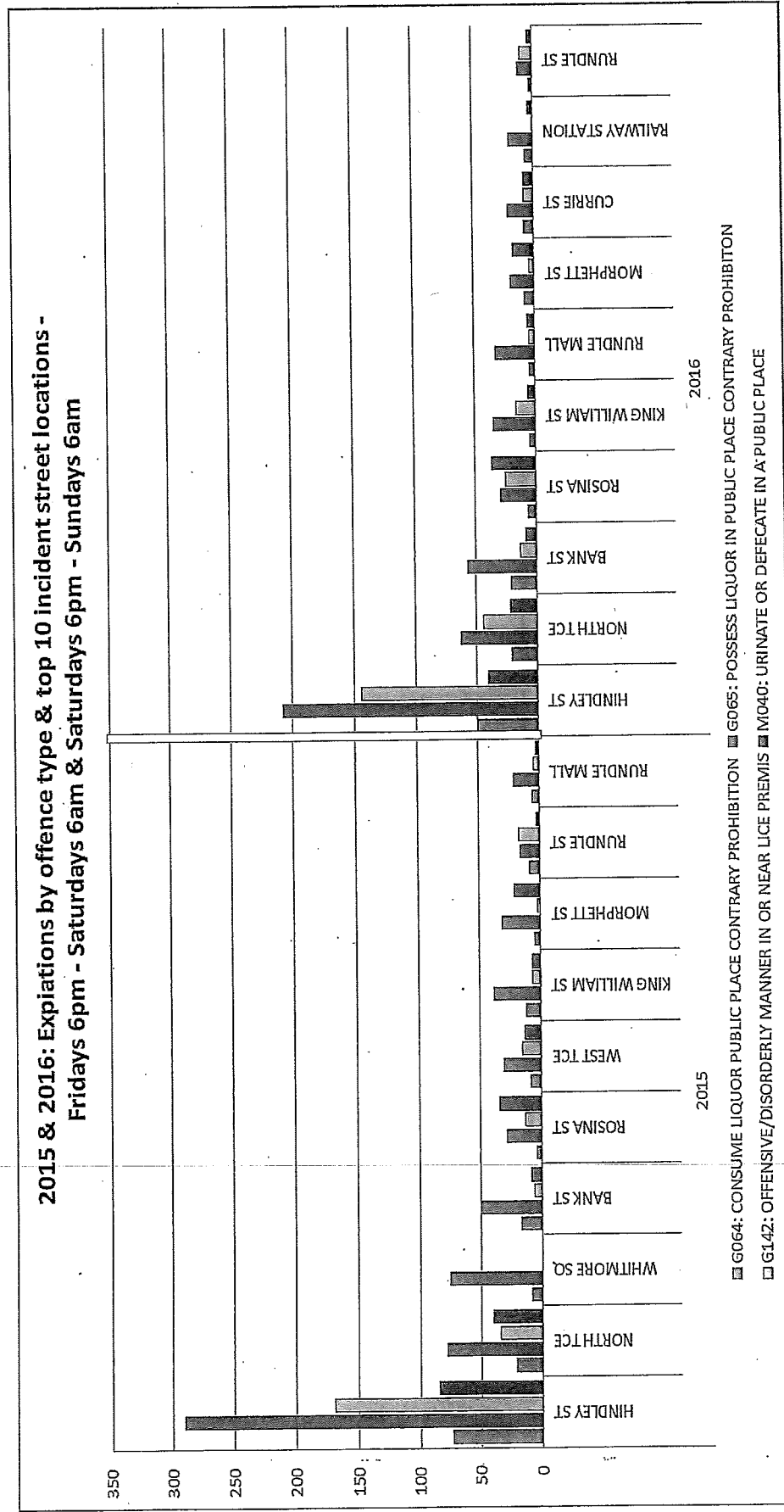
APPENDIX B

Table 2 – Offences against the person and good order (hour of day – Fridays, Saturdays & Sundays)



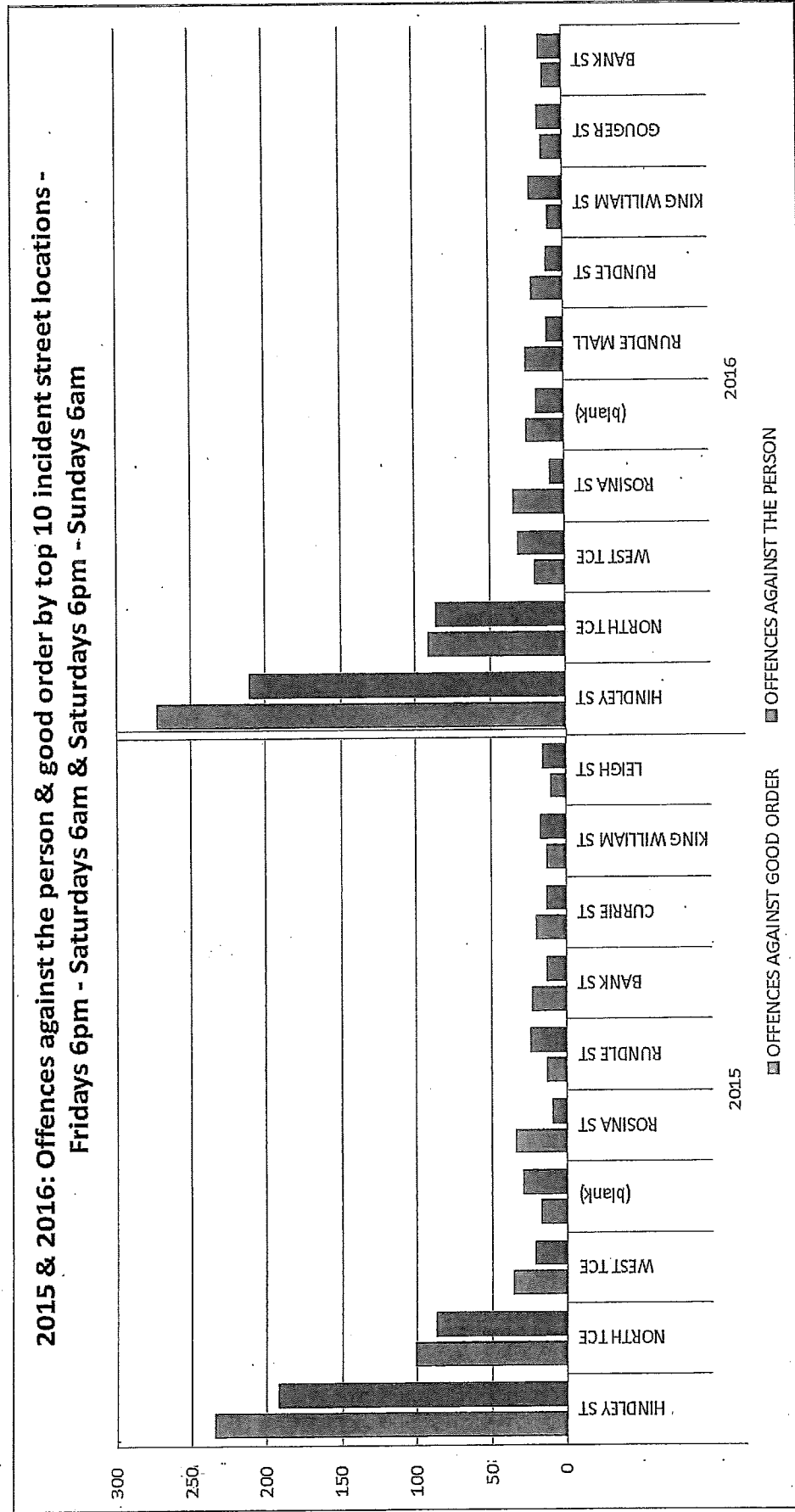
APPENDIX C

Table 3 – Expiation notices (street locations – Fridays, Saturdays & Sundays)



APPENDIX C

Table 3 – Offences against the person and good order (street locations – Fridays, Saturdays & Sundays)



** (blank) – generic or non-specified location in suburb of Adelaide

Appendix D

'City West' Declared Public Precinct

