



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE

Your Ref:
Our Ref: 19-1101
Enquiries:
Telephone: 7322 3347
Facsimile: 7322 4180

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

Email: 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:

"... I'm seeking documents since 1 January, 2017, with the following information:

- 1. The number of SA police incidents/events Tasers were used in for 2017 and 2018 ...;*
- 2. A breakdown of whether they were involved in a. draw and cover, b. discharging barbs (firing a Taser), c. used in drive stun mode, d. accidentally discharged.*
- 3. Of those in point two, I'm seeking the related reports and AV material (include Taser camera footage, helmet camera footage and other examples described here <https://www.ipc.nsw.gov.au/managing-access-audio-visual-information-under-gipa-act-guidance-agencies-0>)*

In relation to points b (firing of a Taser) and c (drive stun). If there are more than 20 incidents whereby Tasers were fired, please limit to the first 20 incident/event reports where this has occurred

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."

Your application agreed to exclude personal affairs of persons. It should be noted that the personal affairs of the third party has been redacted and marked as **Out of Scope**.

Please note that this determination was made on 24 April 2019.

In relation to this part of your request:

"... I'm seeking documents since 1 January, 2017, with the following information:

- 1. The number of SA police incidents/events Tasers were used in for 2017 and 2018 mutually exclusively; ..."*



It is determined to **release in full** statistical data regarding the Electronic Control Device (ECD) (referred to as TASERS) incidents and uses by calendar year for 2017 and 2018. This data is presented in the table below and was accurate as of 30 January 2019.

ECD Incidents and Uses by Calendar Year		
Calendar Year		Uses
2017		207
2018		287

In relation to this part of your request:

"I am seeking documents since 1 January 2017...2. A breakdown of whether they were involved in a. draw and cover, b. discharging barbs (firing a Taser), c. used in drive stun mode, d. accidentally discharged. ..."

It is determined to **release in full** statistical data regarding the ECD type of use by calendar year for 2017 and 2018. This data is presented in the table below and was accurate as of 30 January 2019.

ECD Use Type by Calendar Year		
Type of Use	2017	2018
Accidental Discharge	17	10
Displayed only and not used	63	78
Laser painted and not deployed	82	149
Deployed (ECD fired)	45	47
Deployed (Drive Stun)	0	1
Deployed (ECD fired & Drive Stun)	0	2
Total Uses	207	287

In relation to this part of your request:

"3. Of those in point two, I'm seeking the related reports and AV material (include Taser camera footage, helmet camera footage and other examples described here <https://www.ipc.nsw.gov.au/managing-access-audio-visual-information-under-qipa-act-guidance-agencies-0>

In relation to points b (firing of a Taser) and c (drive stun). If there are more than 20 incidents whereby Tasers were fired, please limit to the first 20 incident/event reports where this has occurred ..."

In our letter dated 31 January 2019 and emailed to you on the same day, SAPOL advised you that your request for 20 incidents was unreasonable and requested you narrow point 3 of the scope of your request to the reports and TASER footage of the first 10 incidents for 2017 where TASERS were fired or used as a drive stun. On the same day you replied via email: *"I am happy to amend the scope in relation to point 3 as suggested."*

Consultation has been undertaken with the third parties involved in the incidents pursuant to section 26 of the FOI Act, to seek their views regarding the release of information concerning their personal affairs to a third party. They have expressed objection regarding the disclosure of their information. Therefore, a determination has been made pursuant to the FOI Act not to disclose some of the footage and information.

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.	Forward Minute dated 25/1/17 in relation to 2017-0692 consisting of 2 pages.	Full Release		
1a	Record of use of force PD355 dated 21/1/2017 in relation to 2017-0692 consisting of 6 pages	Part Release	Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</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"> • <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> • <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</i>

				<p><i>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></p> <ul style="list-style-type: none"> <i>I keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate and manage responses to emergencies and regulate road use and prevent vehicle collisions.</i>
1b	Video recording from ECD Ref:- 2017-0692	Part Release		A portion of the video has been redacted Out of Scope as it relates to the personal affairs (facial features or voice etc) of third parties and does not fall within the scope of your request.
2	Forward Minute dated 15/3/17 in relation to 2017-0833 consisting of 1 page.	Full Release		
2a	Record of use of force PD355 dated 13/3/17 in relation to 2017-0833 consisting of 4 pages	Part Release	<p>Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)</p>	A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall

				<p>within the scope of your request.</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 use of the ECD.</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"> • <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> • <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> • <i>I keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to</i>
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				<i>crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate and manage responses to emergencies and regulate road use and prevent vehicle collisions.</i>
2b	Video recording from ECD Ref:- 2017-0833	Part Release		A portion of the video has been redacted Out of Scope as it relates to the personal affairs (facial features or voice etc) of third parties and does not fall within the scope of your request.
2c	Email from Darren Sargent dated 13 March 2017 consisting of 2 pages	Part Release		A portion of the text in the document has been redacted and marked Out of Scope as it relates to the personal affairs (names) of third parties and does not fall within the scope of your request.
3.	Forward Minute dated 18/4/17 in relation to 2017-00914 consisting of 2 pages.	Full Release		
3a	Record of use of force PD355 dated 14/4/2017 in relation to 2017-0914 consisting of 4 pages	Part Release	Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</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"> • 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; • 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 keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate and manage responses to emergencies and regulate road use and prevent vehicle collisions.
3b	Video recording from ECD Ref:- 2017-0914	Refuse Access	Clauses: 6(1) 6(3a)	The ECD footage contains information concerning the personal affairs of persons.

			16(1)(a)(iv) 16(1)(b)	<p>Such information includes but is not limited to the name, identifying marks such as tattoos, physical location and other personal information. Release of any footage or description of the incident could be recognised by the individual involved in the ECD incident. I am of the opinion that disclosure of information concerning their personal affairs is unreasonable.</p> <p>The ECD footage contains information that at the time of furnishing concerned persons who were suffering from mental illness, impairment or infirmity. The information also concerns those persons family or circumstances and I am of the opinion that disclosure would be unreasonable having regard to the need to protect that person's welfare. Even though images may be pixilated there is no way of adequately sanitising the video to prevent the subject person from recognising themselves or another person recognising them.</p> <p>Release of such information may prejudice the, maintenance, planning, or enforcement, methods or procedures required for the agencies performance in relation to ECD.</p>
4a	Record of use of force PD355 dated 15/6/17 in relation to 2018-0001 consisting of 4 pages	Part Release	<p>Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)</p>	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</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"> • <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> • <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> • <i>I keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate and manage responses to emergencies and regulate road use and</i>
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				<i>prevent vehicle collisions.</i>
4b	Video recording from ECD Ref-: 2018-0001	Part Release		A portion of the video has been redacted Out of Scope as it relates to the personal affairs (facial features or voice etc) of third parties and does not fall within the scope of your request.
5a	Record of use of force PD355 dated 22/8/17 in relation to 2018-0189 consisting of 5 pages	Part Release	Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</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"> • <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> • <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</i>

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5b	Video recording from ECD Ref:- 2018-0189	Part Release		A portion of the video has been redacted Out of Scope as it relates to the personal affairs (facial features or voice etc) of third parties and does not fall within the scope of your request.
6a	Record of use of force PD355 dated 29/11/17 in relation to 2018-0501 consisting of 4 pages	Part Release	Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</p> <p>The following factors were considered as to whether or not</p>

				<p>it would be contrary to the public interest to disclose the exempt portions:</p> <ul style="list-style-type: none"> • <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> • <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> • <i>I keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate and manage responses to emergencies and regulate road use and prevent vehicle collisions.</i>
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6b	Video recording from ECD Ref:- 2018-5001	Refuse Access	Clauses: 6(1) 6(3a) 16(1)(a)(iv) 16(1)(b)	<p>The ECD footage contains information concerning the personal affairs of persons. Such information includes but is not limited to the name, identifying marks such as tattoos, physical location and other personal information. Release of any footage or description of the incident could be recognised by the individual involved in the ECD incident. I am of the opinion that disclosure of information concerning their personal affairs is unreasonable.</p> <p>The ECD footage contains information that at the time of furnishing concerned persons who were suffering from mental illness, impairment or infirmity. The information also concerns those persons family or circumstances and I am of the opinion that disclosure would be unreasonable having regard to the need to protect that person's welfare. Even though images may be pixilated there is no way of adequately sanitising the video to prevent the subject person from recognising themselves or another person recognising them.</p> <p>Release of such information may prejudice the, maintenance, planning, or enforcement, methods or procedures required for the agencies performance in relation to ECD.</p>
7a	Record of use of force PD355 dated 29/12/17 in relation to 2018-0639 consisting of 7 pages	Part Release	Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</p> <p>A portion of the redacted text relates to opinion, advice and recommendations that have been obtained and recorded for</p>

				<p>the sole purpose of decision making functions with respect to the use of the ECD.</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"> • <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> • <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> • <i>I keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate</i>
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				and manage responses to emergencies and regulate road use and prevent vehicle collisions.
7b	Video recording from ECD Ref:- 2018-0639	Part Release		A portion of the video has been redacted Out of Scope as it relates to the personal affairs (facial features or voice etc) of third parties and does not fall within the scope of your request.
8a	Record of use of force PD355 dated 24/1/18 in relation to 2018-0276 consisting of 4 pages	Part Release	Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</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"> • <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> • <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</i>

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8b	Video recording from ECD Ref-: 2018-0276	Refuse Access	<p>Clauses: 6(1) 6(3a) 16(1)(a)(iv) 16(1)(b)</p>	<p>The ECD footage contains information concerning the personal affairs of persons. Such information includes but is not limited to the name, identifying marks such as tattoos, physical location and other personal information. Release of any footage or description of the incident could be recognised by the individual involved in the ECD incident. I am of the opinion that disclosure of information concerning their personal affairs is unreasonable.</p> <p>The ECD footage contains information that at the time of furnishing concerned persons who were suffering from mental illness, impairment or infirmity. The information also concerns those persons family or</p>

				<p>circumstances and I am of the opinion that disclosure would be unreasonable having regard to the need to protect that person's welfare. Even though images may be pixilated there is no way of adequately sanitising the video to prevent the subject person from recognising themselves or another person recognising them.</p> <p>Release of such information may prejudice the, maintenance, planning, or enforcement, methods or procedures required for the agencies performance in relation to ECD.</p>
9a	Record of use of force PD355 dated 10/2/18 in relation to 2018-0771 consisting of 4 pages	Part Release	<p>Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)</p>	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</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"> • <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> • <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</i>

				<p><i>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></p> <ul style="list-style-type: none"> <i>I keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate and manage responses to emergencies and regulate road use and prevent vehicle collisions.</i>
9b	Video recording from ECD Ref-: 2018-0771	Refuse Access	<p>Clauses: 6(1) 6(3a) 16(1)(a)(iv) 16(1)(b)</p>	<p>The ECD footage contains information concerning the personal affairs of persons. Such information includes but is not limited to the name, identifying marks such as tattoos, physical location and other personal information. Release of any footage or description of the incident could be recognised by the individual involved in the ECD incident. I am of the opinion that disclosure of information concerning their personal affairs is unreasonable.</p> <p>The ECD footage contains</p>

				<p>information that at the time of furnishing concerned persons who were suffering from mental illness, impairment or infirmity. The information also concerns those persons family or circumstances and I am of the opinion that disclosure would be unreasonable having regard to the need to protect that person's welfare. Even though images may be pixilated there is no way of adequately sanitising the video to prevent the subject person from recognising themselves or another person recognising them.</p> <p>Release of such information may prejudice the, maintenance, planning, or enforcement, methods or procedures required for the agencies performance in relation to ECD.</p>
10a	Record of use of force PD355 dated 7/6/18 in relation to 2018-1261 consisting of 6 pages	Part Release	<p>Clauses: 9(1)(a)(i) 9(1)(b) 16(1)(a)(iv) 16(1)(b)</p>	<p>A portion of the redacted text in the document marked Out of Scope as it relates to the personal affairs (names, address, date of birth etc) of third parties and does not fall within the scope of your request.</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 use of the ECD.</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"> • <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> • <i>It must be borne in mind</i>

				<p><i>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></p> <ul style="list-style-type: none"> <i>I keep in mind that the purpose of SAPOL as set out in section 5 of the Police Act 1998 is to reassure and protect the community in relation to crime and disorder by the provision of services to uphold the law, preserve the peace, prevent crime, assist the public in emergency situations, co-ordinate and manage responses to emergencies and regulate road use and prevent vehicle collisions.</i>
10b	Video recording from ECD Ref:- 2018-1261	Part Release		A portion of the video has been redacted Out of Scope as it relates to the personal affairs (facial features or voice etc) of third parties and does not fall within the scope of your request.
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)."

Clause 6(3a) of Schedule 1 of the FOI Act which states:

"A document is an exempt document if it contains matter consisting of information concerning a person who is presently under the age of 18 years or suffering from mental illness, impairment or infirmity or concerning such a person's family or circumstances, or information of any kind furnished by a person who was under that age or suffering from mental illness, impairment or infirmity when the information was furnished and the disclosure of which would be unreasonable having regard to the need to protect that person's welfare."

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."

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 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:

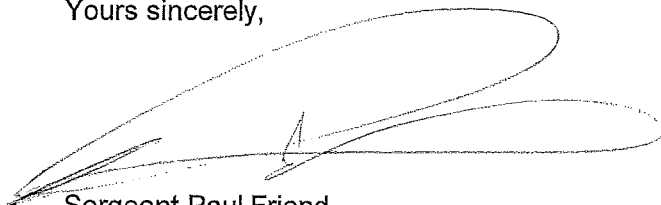
"A document is an exempt document if it contains matter the disclosure of which would, on balance, be contrary to the public interest"

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 19 June 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 \$35.00. Such a fee may be waived in the event of an exemption being claimed.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paul Friend', with a large, sweeping loop at the end.

Sergeant Paul Friend
Acting Officer in Charge
FREEDOM OF INFORMATION UNIT
(Accredited Freedom of Information Officer)

30^{PM} May 2019