Western Australia Police Force Information Statement 2024 – 2025 Prepared in accordance with Part 5 of the Freedom of Information Act 1992



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1. Acknowledgement of Country

The Western Australia Police Force acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal community and their culture, and to Elders past, present and emerging.

2. Introduction

This Information Statement contains an overview of the structure and functions of the WA Police Force, including a summary of how these functions affect members of the public and also describes methods available for the public to obtain information held by the WA Police Force.

The Information Statement describes the types of documents that can be inspected, purchased or obtained with and without charge, and outlines the range of collated information reports available.

The Information Statement also provides an outline of the Freedom of Information (FOI) process including how to make an FOI application, and describes relevant information specific to the WA Police Force.

The Commissioner of Police is the Principal Officer of the WA Police Force and has a decision-making responsibility relating to the release of information. The Commissioner of Police has authorised specific positions within Public Access, Office of Information Management (OIM) to make decisions on the release of information held by the WA Police Force.

3. Functions of the WA Police Force

Our mission:

"To provide trusted and valued policing for Western Australia."

Our vision is to be an exceptional Police Force to the Western Australian community and this continues to be driven through consistent efforts to improve policing services, to prevent crime and increase community safety. The community remains at the heart of all that we deliver and we remain committed to working collaboratively with our partners to increase support for those in vulnerable groups and Aboriginal communities.

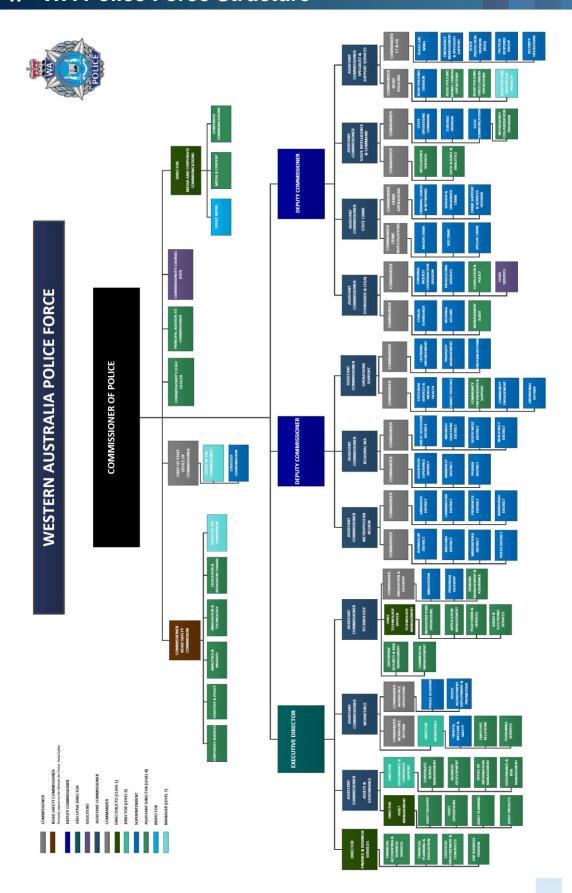
Our Strategic Direction continues to drive the focus for our policing priorities to enforce the law, prevent crime and manage and coordinate emergencies. Strong leadership and dedicated partnerships are informing strategies to strengthen our policing services.

The functions of the WA Police Force are vested broadly in common law, with duties and authority prescribed across a range of legislation including, but not limited to:

- Australian Crime Commission (Western Australia) Act 2004
- Community Protection (Offender Reporting) Act 2004
- Criminal and Found Property Disposal Act 2006
- Criminal Investigation Act 2006
- Criminal Investigation (Covert Powers) Act 2012
- Criminal Investigation (Identifying People) Act 2002
- Firearms Act 1973
- Graffiti Vandalism Act 2016
- Mandatory Testing (Infectious Diseases) Act 2014
- Misuse of Drugs Act 1981
- Pawnbrokers and Second-hand Dealers Act 1994
- Police Act 1892
- Police Assistance Compensation Act 1964

- Police (Medical and Other Expenses for Former Officers) Act 2008
- Protective Custody Act 2000
- Public Order in Streets Act 1984
- Road Safety Council Act 2002
- Road Traffic Act 1974
- Security and Related Activities (Control) Act 1996
- Surveillance Devices Act 1998
- Telecommunications (Interception and Access) Western Australia Act 1996
- Terrorism (Extraordinary Powers) Act 2005
- Terrorism (Preventative Detention) Act 2006
- Weapons Act 1999
- Witness Protection (Western Australia) Act 1996

4. WA Police Force Structure



5. Office of Information Management (OIM)

OIM forms part of the Assets and Governance Portfolio within the WA Police Force, and is the custodian of a variety of information holdings for the agency. OIM provides governance and advice on information management, standards, controls, policies and procedures.

OIM consists of four functional streams:

- Public Access (PA) is the centralised point that facilitates the release of information held by WA Police Force to members of the public. PA offers a range of services including:
 - Applications under the *Freedom of Information Act 1992* (FOI Act).
 - Crime and Crash abridged information reports.
 - Records of traffic infringement notices.
 - Criminal Injuries Compensation information reports.
 - History for Court reports.
 - Replacement copies of personal statements.
 - Replacement copy of Statement of Material Facts (SMF).
- 2. Interagency Access (IA) coordinates the release of information between WA Police Force and other State and Commonwealth government agencies (on behalf of WA Police Force), including the coordination of the National Police Checking Service. IA manages the release of information in accordance with relevant legislation, policy and privacy principles. IA services include:
 - Spent conviction applications.
 - National Police Certificates (NPC).
 - Volunteer National Police Certificates (VNPC).
 - Providing information to State and Commonwealth government agencies to support their purpose and function.
- **3.** Cross Justice Support (CJS) is responsible for the management and integrity of entity information with a primary focus on court outcomes, persons, organisations and vehicles. The business unit is also responsible for the registration, safe custody, editing and transcription of recorded evidence.

The business unit liaises across the judicial sector in relation to data quality issues via interagency working groups with key government partners, with a view to improving information and system integration.

4. Records Management (RM) is responsible for the management of corporate records through the provision of records management services in respect to the capture, archiving, discovery and disposal of records. RM also provides WA Police Force mail and courier services and Electronic Document and Records Management System (EDRMS) services to support digital business improvement strategies.

6. Privacy Statement

The Western Australia Police Force Privacy Statement provides an overarching framework, by which personal information is collected, stored and used by the WA Police Force.

Where there is no specific legislative provision governing the collection, storage, use and disclosure of personal information, the policy statement provides guidance based on the *Australian Privacy Principles*, as per section 14 of the *Privacy Act 1988 (Cth)*.

The Western Australia Police Force Privacy Statement can be accessed by visiting police.wa.gov.au/privacy.

7. WA Police Force policy and performance

The WA Police Force as an agency is committed to strong values, a positive inclusive workforce, and good ethical standards and practices.

The WA Police Force encourages and invites comment from members of the public, community groups and organisations in relation to the agency's performance and policy formulation. All comments received are acknowledged and provided to the relevant Portfolio for consideration and/or response.

The Commissioner of Police and other senior police personnel regularly appear in public forums, including media appearances and press conferences. The public often engage with, and provide comment and feedback to the Commissioner and senior police personnel regarding police matters, including initiatives and strategies. Comments and opinions can then be used to further ongoing debate and discussion, with the potential to change WA Police Force policy.

Information relating to crime matters can be provided to police 24 hours a day, 7 days a week by calling either police communications or visiting crimestoppers.com.au, or police.wa.gov.au/contact-us to report graffiti, hoon activity or a crash.

8. Strategy and performance

The WA Police Force website has numerous documents online, including the following:

Strategic Policy

Western Australia Police <u>Strategic Direction</u>.

Organisational Performance and Governance

- Western Australia Police Force Our Governance
- Western Australia Police Force <u>Annual Report</u>
- Crime statistics
- Crash statistics (links to the Road Safety Commission website)

Corruption Prevention and Investigation

- Charter of Rights
- Code of Conduct

WA Police Force Recruitment

• Let's Join Forces

9. Police Manuals

The Police Manual contains the WA Police Force policies. A CD copy of an abridged version of the Police Manual may be viewed at the State Library of Western Australia, located at 25 Francis Street, Perth Cultural Centre, 6000.

10. Documents or information reports available outside the Freedom of Information (FOI) process

Documents and collated information reports that contain personal information may be released to an applicant outside of the FOI process.

Strict conditions apply to the release of these documents and reports, and disclosure may attract a scheduled fee in accordance with the *Police (Fees and Charges)* Regulations 2018.

The following section details specific documents and reports that are provided, or are available for purchase.

Where an application is submitted in writing, payment must be made by cheque or money order made payable to "Commissioner of Police". Electronic money orders cannot be accepted.

10.1. Personal Statements

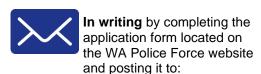
Statements made to the WA Police Force by an individual (named as victim or witness to an incident) are available to that individual at no cost while the investigation is ongoing or at court. Application is made directly to the investigating officer or the police station/branch where the investigation was conducted.

Where an investigation has been finalised, an application for a replacement statement can be made to the Public Access unit using the application form titled "Application for Documents Offered Outside of the Freedom of Information Act 1992". This form is available on the WA Police Force website under the heading Apply for Information.

Who may apply?

Applications will only be accepted from an individual named as victim or witness to the incident, their authorised third party or representative (insurer, solicitor etc.). A request from an authorised third party or representative must also include signed consent or authority from the applicant on the representative's company letterhead.

How do I apply?



Public Access Locked Bag 20 PERTH BUSINESS CENTRE WA 6849 Emailing the completed form along with photo ID to the below address.

To access the application form, go to: www.police.wa.gov.au
Click **Online Services**, then "Apply for Information".

Cost: No fee

Additional Requirements:

- Completed application form.
- A copy of your photo identification (driver's licence, passport).
- Appropriate authority if applicable (if you are a personal or authorised representative, please refer to the application requirements on the <u>WA Police Force</u> website).

Additional Phone: (08) 6229 5900

Information: Email: PublicAccess@police.wa.gov.au

10.2. National Police Certificate

An NPC lists an individual's disclosable court outcomes and/or pending charges. The certificate is used by employers and licensing bodies for screening purposes.

Who may apply?

Application must be made by the individual; no representatives are accepted.

How do I apply?



In person at a participating Australia Post outlet.



Online Services at www.police.wa.gov.au

Click "National Police Certificates"

Cost: \$63.80 (inclusive of GST)

Additional • A completed application form

Requirements: • 100 points of ID

Additional Information: NPC enquiry form is available here

10.3. Statement of Material Facts

A Statement of Material Facts is a prosecution document, issued to an accused when charged with an offence. It provides a summary of the circumstances surrounding the offence but does not contain the outcome of any subsequent court hearing.

Who may apply?

An individual or authorised representative may apply for a matter from 2001 onwards.

How do I apply?



In writing by completing the application form located on the WA Police Force website and posting it to:

Public Access Locked Bag 20 PERTH BUSINESS CENTRE WA 6849 To access the application form, go to: www.police.wa.gov.au
Click **Online Services**, then "Apply for Information".

Cost: \$91.91 per hour (GST not applicable)

Additional Requirements:

- Completed application form.
- A copy of your photo identification (driver's licence, passport).

 Appropriate authority - if applicable (if you are a personal or authorised representative, please refer to the application requirements on the <u>WA Police Force</u> website).

• Payment.

Additional Phone: (08) 6229 5900

Information: Email: PublicAccess@police.wa.gov.au

10.4. History for Court Documentation

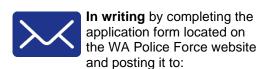
A History for Court document is a complete, certified record that details all criminal and traffic convictions, including non-disclosable outcomes such as juvenile and spent convictions.

This document is **strictly** for court purposes only and cannot be used for screening purposes (e.g. pre-employment, immigration etc.).

Who may apply?

An individual (or a personal or authorised representative) who requires a complete history of their criminal record certified for legal proceedings may apply (e.g. for a spent conviction application for a serious offence being heard in the District Court).

How do I apply?



Public Access Locked Bag 20 PERTH BUSINESS CENTRE WA 6849 or Emailing the completed form along with photo ID to the below address.

To access the application form, go to: www.police.wa.gov.au
Click Online Services, then "Apply for Information".

Cost: No fee

Additional Requirements:

- Completed application form.
- A copy of your photo identification (driver's licence, passport).
- Appropriate authority if applicable (if you are a personal or authorised representative, please refer to the application requirements on the <u>WA Police Force</u> <u>website</u>).
 - Proof of court proceeding not required but preferred.

Additional Phone: (08) 6229 5900

Information: Email: PublicAccess@police.wa.gov.au

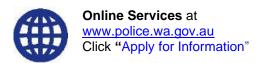
10.5. Record of Traffic Infringement Notice

A Record of Traffic Infringement Notices provides an individual with a certified record of traffic infringements issued by the WA Police Force in the preceding ten years.

Who may apply?

An individual, a personal representative or an authorised representative.

How do I apply?





In writing by completing the application form located on the WA Police Force website and posting it to:

Public Access Locked Bag 20 PERTH BUSINESS CENTRE WA 6849



To access the application form, go to: www.police.wa.gov.au
Click Online Services, then "Apply for Information".

Cost: \$16.30 (inclusive of GST)

Additional Requirements:

- Completed application form.
- A copy of your photo identification (driver's licence, passport).
- Appropriate authority if applicable (if you are a personal or authorised representative, please refer to the application requirements on the <u>WA Police Force</u> website).
- Payment.

Additional Phone: (08) 6229 5900

Information: Email: PublicAccess@police.wa.gov.au

10.6. Abridged Reports – Crash and Crime

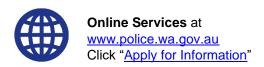
Permissible Information refers to specific personal information that has been collected or confirmed by the WA Police Force, in the course of an investigation relating to a criminal offence or traffic crash. An Abridged Report is commonly used for insurance purposes.

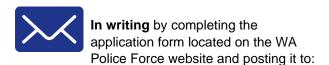
Who may apply?

Abridged Crime Incident Report (AIR) will only be released to victims, personal representatives or an authorised representative.

Abridged Crash Report (ACR) will only be released to parties who have a legitimate involvement in the crash (e.g. drivers, vehicle owners, damaged property owners), personal representatives or an authorised representative.

How do I apply?





Public Access Locked Bag 20 PERTH BUSINESS CENTRE WA 6849



In person at any Police Station in WA.

To access the application form, go to: www.police.wa.gov.au
Click Online Services, then "Apply for Information".

Cost: AIR \$49.60 (inclusive of GST)
ACR \$54.40 (inclusive of GST)

Additional Requirements:

- Completed application form.
- A copy of your photo identification (driver's licence, passport).
- Appropriate authority if applicable (if you are a personal or authorised representative, please refer to the application requirements on the <u>WA Police</u> Force website).

Payment.

Additional Public Access

Information: Phone: (08) 6229 5900

Email: PublicAccess@police.wa.gov.au

10.7. Criminal Injuries Compensation

The Information Report for Criminal Injuries Compensation provides victims of crime with a package of information held by police about the incident. It includes an extract from the Incident Report and a copy of the statement the victim provided to police. This information may assist with the completion of the Criminal Injuries Compensation application form.

The package is available for any incident investigated by WA Police Force in which a victim of crime suffered an injury (bodily harm, mental and nervous shock, or pregnancy).

Police investigations and court proceedings **must** be finalised before information will be released.

Multiple incidents may be requested for a single application fee.

Who may apply?

An individual (victim), a personal representative or an authorised representative.

How do I apply?



Online Services at www.police.wa.gov.au Click "Apply for Information"



In writing by completing the application form located on the WA Police Force website and posting it to:

Public Access Locked Bag 20 PERTH BUSINESS CENTRE WA 6849



In person at any police station in WA.

To access the application form, go to: www.police.wa.gov.au
Click Online Services, then "Apply for Information".

Cost: \$30.00 (inclusive of GST)

Additional Requirements:

- Completed application form.
- A copy of your photo identification (driver's licence, passport).
- Appropriate authority if applicable (if you are a personal or authorised representative, please refer to the application requirements on the <u>WA Police Force</u> website).
- Payment.

Additional Phone: (08) 6229 5900

Information: Email: PublicAccess@police.wa.gov.au

11. Freedom of Information (FOI)

The Freedom of Information Act 1992 (FOI Act) provides the public with a general right of access to seek documents held by WA Government agencies and a means to ensure personal information held on departmental documents is accurate, complete, up to date and not misleading. This general right of access enables the public to more effectively participate in governing the State.

A person may apply for documents under the FOI Act, where no alternative method of access is available.

The WA Police Force retain and manage a large number of documents and whilst some may be accessible through an FOI application, others may be exempt and therefore not accessible. There is a number of exemptions within Schedule 1 of the FOI Act that may apply to certain documents. One of the most commonly used exemptions relates to personal information. Personal information of an individual (other than the applicant) is generally exempt without their written consent.

The FOI Act provides that some business areas within the WA Police Force are considered exempt agencies and exempt from the FOI process. Exempt agencies within the WA Police Force include the Internal Affairs Unit and certain Intelligence areas.

11.1. Documents containing your personal information

Any FOI application received requesting **only** the applicant's personal information within a document, is available free of charge.

These documents are not collated information reports and will therefore **only** contain the personal information of the applicant, with all other information removed.

Personal information is defined in the FOI Act and includes details such as a name, address, telephone number, medical information, financial information and marital status. Information on how to lodge an application is detailed at the end of this chapter.

11.2. Documents subject to copyright

Some documents held by the WA Police Force contain operational information and technical data, which has copyright restrictions.

These documents are associated with apparatus used by police in the performance of their duties and include apparatus used in sensitive or covert operations, and technical and operational data for speed detection or breath analysis equipment.

Requests for these documents are assessed on a case by case basis and while certain documents may be available for inspection, other documents may be refused.

11.3. Notice of Decision

Once an application is complete, a 'Notice of Decision' is provided. This Notice contains the decision regarding whether access to documents has been provided. Decisions may consist of the following:

- Full access (un-edited) to all or some documents
- · Partial access (edited) to all or some documents
- Refused access to all or some documents.

Processing an application and documents may incur a charge, which is in addition to the application fee. Amounts able to be charged are contained within the *Freedom of Information Regulations 1993* (FOI Regulations) and the Notice will detail these, if applicable.

11.4. Timeframe for Completion

The FOI Act provides a 45 calendar day timeframe to complete a valid application. This timeframe may be extended by agreement between the WA Police Force and the applicant. If the application is extensive, complex or involves many documents, the WA Police Force may contact the applicant to discuss the application and timeframe.

11.5. Appealing a decision

If an FOI applicant is dissatisfied with a decision made by the WA Police Force, they may apply for an Internal Review of that decision.

A request for an Internal Review must be made in writing to the WA Police Force within **30 days** of receiving the Notice of Decision. An appropriate officer of the WA Police Force will undertake the review and a determination will be provided within **15 days** of the Internal Review request being received by the WA Police Force.

Should the FOI applicant be dissatisfied with an Internal Review decision, the applicant may then request an External Review.

A request for External Review must be made within **60 days** after being given written notice of the decision and lodged with the <u>Office of the Information Commissioner</u> (**not** the WA Police Force).

11.6. Amending personal information

The FOI Act provides the public with the right to apply to amend their personal information contained within WA Police Force documentation if the information is inaccurate, incomplete, out of date or misleading.

In accordance with section 46 of the FOI Act, an application for amendment must:

- Be in writing;
- Give enough details to enable the document that contains the information to be identified;
- Give details of the matters in relation to which the person believes the information is inaccurate, incomplete, out of date or misleading;
- Give the person's reasons for holding that belief;
- Give details of the amendment that the person wishes to have made;
- Give an address in Australia to which notices under the FOI Act can be sent;
- Give any other information or details required under the FOI Regulations; and
- Be lodged at an office of the agency.

The application must also state whether the person wishes the amendment to be made by:

- Altering information;
- Striking out or deleting information;
- Inserting information; or
- Inserting a note in relation to information.

11.7. **Application – Freedom of Information**

Who may apply?

An individual or authorised representative.

How do I apply?



Online Services at www.police.wa.gov.au

Click "Apply For Information" and select "Freedom of Information Request Form".



In writing by completing the application form located on the WA Police Force website and posting it to:

Manager (FOI) Public Access Locked Bag 20 PERTH BUSINESS CENTRE WA 6849



In person at any Police Station in WA.

To access the application form, go to: www.police.wa.gov.au Click Online Services, then "Apply for Information".

Note

An application should include as much information as possible to assist in locating all relevant documents.

Applications which include a request for non-personal information require the prescribed application fee of \$30. If an application for non-personal information is submitted without the prescribed application fee, then it is not valid and applicants will be contacted.

Cost for application requesting personal information only: No fee

Cost to amend personal No fee information:

Cost for application requesting \$30 (inclusive of GST) documents containing non-Additional charges may be applicable personal information: depending on volume

Charge to obtain, edit and process documents containing

non-personal information:

\$30 per hour

Charge of copying documents containing non-personal information:

20c per page

Additional information about charges

Where excessive documents are sought, the applicant will be provided with an 'Estimate of Costs' together with a 'Schedule of Documents'.

This provides the applicant with the opportunity to reduce the number of documents sought and thereby reduce the charges.

Cheque or money order:

Payment made by cheque or money order must be made payable to "Commissioner of Police".

Additional Requirements:

- Completed application form.
- A copy of your photo identification (driver's licence, passport).
- Appropriate authority (if you are a personal or authorised representative, please refer to the application requirements on the <u>WA</u> Police Force website).
- Payment (for non-personal applications).

Additional Information:

WA Police Force Freedom of Information

Phone: (08) 6229 5900

Email: freedom.of.information@police.wa.gov.au