Western Australia
Police Force

Information Statement
2018 – 2019

Prepared in accordance with Part 5 of the Freedom of Information Act 1992
# WA Police Information Statement 2017-2018

## 1. Introduction

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1. Introduction

This Information Statement contains an overview of the structure and functions of the Western Australia (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 the Information Release Centre (IRC), Office of Information Management (OIM) to make decisions on the release of information held by the WA Police Force.
2. Functions of the WA Police Force

Our mission:

“To provide trusted and valued policing for Western Australia.”

In 2018-2019, the key focus of the WA Police Force will remain in the areas of Tackling Crime and Keeping the Community Safe. The WA Police Force will continue to provide services to the community with an emphasis on Alcohol & Drug Harm, Antisocial Behavior, Illegal and Antisocial Road Use, Violence and At-Risk Youth.

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:

- The Criminal Code
- Road Traffic Act 1974
- Criminal Investigation Act 2006
- Bail Act 1982
- Police Act 1892
- Criminal Procedure Act 2004
- Coroners Act 1996
- Criminal and Found Property Disposal Act 2006
- Emergency Management Act 2005
- Criminal Investigation (Identifying People) Act 2002
- Misuse of Drugs Act 1981
- Liquor Control Act 1988
- Firearms Act 1973
- Security and Related Activities (Control) Act 1996
- Community Protection (Offender Reporting) Act 2004
- Terrorism (Extraordinary Powers) Act 2005
- Weapons Act 1999
- Telecommunications (Interception and Access) Western Australia Act 1996
3. WA Police Force Structure
4. **Office of Information Management**

OIM forms a part of the Policy and Legislation 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 three functional streams:

1. **IRC** is the centralised point of information release for the public and State and Federal Government agencies across a range of services including:
   - Crime and Crash abridged information reports.
   - Records of traffic infringement notices.
   - Spent conviction applications & processing.
   - National Police Certificates (NPC).
   - Providing information to State and Commonwealth government agencies to support their legislated functions.

2. **Information Capture Centre (ICC)** is responsible for quality, integrity and accuracy of information pertaining to entities, final court results, warrants and orders updated within the WA Police Forces primary corporate system; IMS.

3. **Records Management Centre (RMC)** provides a records management service to ensure integrity and governance of WA Police Force records in accordance with requirements under the *State Records Act 2000*.

5. **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 aligns with the national best practice of the *Australian Privacy Principles*, as per section 14 of the *Privacy Act 1988 (Cth)*.

6. WA Police Force policy and performance

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.

From time to time, public comment is sought when developing strategies and plans to achieve organisational goals. The WA Police Force are often involved in joint initiatives with other agencies, which encourage significant public input, such as Road Safety Strategies. The WA Police Force also continue to work toward forming positive partnerships with Indigenous and culturally and linguistically diverse communities through engagement, resulting in the development and implementation of early intervention strategies. The Indigenous and Community Diversity Unit coordinates information, programs and advice on Aboriginal, community diversity and multicultural issues impacting the WA Police Force and the community.

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. Records are maintained for every call received.

7. Strategy and performance documents

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

**Strategic Policy**
- Western Australia Police Strategic Plan.

**Organisational Performance**
- Western Australia Police Annual Business Plan
- Western Australia Police Annual Report
- Crime statistics
- Crash statistics

**Corruption Prevention and Investigation**
- Charter of Rights
- Code of Conduct

**Recruiting**
- Step Forward

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

9. Information Release Centre

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) Regulations 1981.

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”.

When applying in person at the IRC, EFTPOS and credit card facilities are also available. Electronic money orders cannot be accepted.
### 9.1. Personal statements

Statements made to the WA Police Force by an individual are available to that individual at no cost. Application is made directly to the investigating officer or the police station/branch where the investigation was conducted.

Where an investigation is finalised, an application for a replacement statement can be made to the IRC using the application form titled "Application for Documents offered Outside of FOI". This form is available on the WA Police Force website under the heading Apply for Information.

**Who may apply?**

Individuals may apply for a copy of their own records, or can authorise a third party or representative to apply on their behalf, by providing that representative or third party with a signed consent or authority.

Applications will only be accepted from an individual or their authorised third party or representative (insurer, solicitor, investigator etc.). A request from an authorised representative or third party must also include a signed consent or authority from the applicant on the representative’s company letterhead, or provide photo identification of the applicant.

**How do I apply?**

- **In person** at:
  - Information Release Centre
  - Westralia Square
  - Level 5, 141 St Georges Tce
  - PERTH WA 6000

- **In writing** by completing the application form located on the WA Police Force website and posting it to:
  - Information Release Centre
  - Locked Bag 20
  - PERTH BUSINESS CENTRE WA 6849

**Cost:** No fee

**Additional Information:**
- Phone: (08) 6229 5900
- Email: information.release.centre@police.wa.gov.au
9.2. National Police Certificate

An NPC lists an individual’s 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 at www.police.wa.gov.au Click “National Police Certificates”

Cost: $54.30 (inclusive of GST)

Additional Requirements: • A completed application form • 100 points of ID

Additional Information: NPC enquiry form is available here

9.3. 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 person at:
Information Release Centre
Westralia Square
Level 5, 141 St Georges Tce
PERTH WA 6000

In writing by completing the application form located on the WA Police Force website and posting it to:
Information Release Centre
Locked Bag 20
PERTH BUSINESS CENTRE WA 6849

Cost: $98.00 (GST not applicable)

Additional Requirements: • Written and signed authority to release information. • A copy of their current photo ID (e.g. passport, license).

Additional Information: Phone: (08) 6229 5900 Email: information.release.centre@police.wa.gov.au
9.4. History for court documentation

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

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 an 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?

In person at:
Information Release Centre
Westralia Square
Level 5, 141 St Georges Tce
PERTH WA 6000

In writing by completing the application form located on the WA Police Force website and posting it to:
Information Release Centre
Locked Bag 20
PERTH BUSINESS CENTRE WA 6849

Cost: No fee

Additional Requirements:

Personal applicants must provide:
- A signed authorisation from the applicant.
- A copy of their current photo identification (e.g. passport, driver's license).
- Proof of court proceeding – not required but preferable.

Authorised representatives must provide:
- A written request supported by letterhead.
- Signed consent of applicant authorising the disclosure.

Additional Information:
Phone: (08) 6229 5900
Email: information.release.centre@police.wa.gov.au
9.5. Record of Traffic Infringement Notice

A Record of Traffic Infringement Notice is a certified record containing a five year history of traffic infringements notices issued by the WA Police Force and includes red light cameras, fixed speed cameras, Multanova® and hand written notices.

Who may apply?

An individual or an authorised representative.

How do I apply?

In person at:
Any police station in WA;
or
Information Release Centre
Westralia Square
Level 5, 141 St Georges Tce
PERTH WA 6000

In writing by completing the application form located on the WA Police Force website and posting it to:
Information Release Centre
Locked Bag 20
PERTH BUSINESS CENTRE WA 6849

Cost: $28.10 (inclusive of GST)

Additional Information:
Phone: (08) 6229 5900
Email: information.release.centre@police.wa.gov.au

Note
Applications by an authorised representative can only be made at the Information Release Centre.
9.6. Permissible Information 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. A Permissible Information Report (PIR) is commonly used for insurance purposes.

Who may apply?

Crime PIRs will only be released to victims or an authorised representative.

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

How do I apply?

Online at www.police.wa.gov.au
Click “Apply for Information”

In person at:
Any police station in WA;
or
Information Release Centre
Westralia Square
Level 5, 141 St Georges Tce
PERTH WA 6000

In writing by completing the application form located on the WA Police Force website and posting it to:
Information Release Centre
Locked Bag 20
PERTH BUSINESS CENTRE WA 6849

Cost: $45.80 (inclusive of GST)

Additional Requirements:
Applicants and authorised representatives must provide a copy of their current photo ID (e.g. passport, license).

Additional Information:
Information Release Centre
Phone: (08) 6229 5900
Email: information.release.centre@police.wa.gov.au
10. Freedom of Information (FOI)

The FOI Act provides the public with a right of access to documents held by WA Government agencies, including the WA Police Force. Access to documents held by the WA Police Force enables the public to become aware of information held about them, and for the public to more effectively participate in governing the State.

Documents are only released pursuant to applicable provisions within the FOI Act, and only if no alternative method of access is available. The FOI Act provides that some business areas within nominated government agencies are exempt from the FOI process, with some exempt areas being within the WA Police Force. These exempt areas include the Internal Affairs Unit and Intelligence areas.

The WA Police Force retain and manage a large number of documents and whilst most may be accessible through an FOI application, others may be exempt and therefore not accessible. Any personal information relating to a third party is often exempt, unless consent from that third party is obtained.

10.1. 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.

10.2. 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.

These documents may however be available for inspection, and requests for these documents are assessed on a case by case basis and access may be refused.
10.3. Notice of Decision

Once an application and documents have been processed, 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.

10.4. 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 involve many documents, the WA Police Force may contact the applicant to discuss the application and timeframe.

10.5. Appealing a decision

If an FOI applicant is aggrieved by a decision of the WA Police Force, they may apply for an internal review of that decision.

A request for an internal review must be made within 30 days of being given the Notice of Decision, and be made in writing to the WA Police Force. 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.

Should the FOI applicant be dissatisfied with an internal review decision, the applicant may request an external review.

A request for external review must be made within 60 days from the date of the original ‘Notice of Decision’ being made, and must be lodged with the Office of the Information Commissioner.
10.6. Amending personal information

The FOI Act provides the public with the right to apply to amend any of their personal information, which they believe is inaccurate, incomplete, out of date or misleading.

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

- 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.

10.7. Application – Freedom of Information

Who may apply?

An individual or authorised representative.

How do I apply?

Click Online Forms and select “Freedom of Information Request”.

In person at:

Any police station in WA; or

Information Release Centre
Westralia Square
Level 5, 141 St Georges Tce
PERTH WA 6000

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

Coordinator (FOI)
Information Release Centre
Locked Bag 20
PERTH BUSINESS CENTRE WA 6849
**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. Such applications that do not include the $30 fee are not valid and applicants will be contacted.

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<th><strong>Cost for application requesting personal information only:</strong></th>
<th>No fee</th>
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<tr>
<td><strong>Cost to amend personal information:</strong></td>
<td>No fee</td>
</tr>
<tr>
<td><strong>Cost for application requesting documents containing non-personal information:</strong></td>
<td>$30 (inclusive of GST) Additional charges may be applicable depending on volume</td>
</tr>
<tr>
<td><strong>Charge to obtain, edit and process documents containing non-personal information:</strong></td>
<td>$30 per hour</td>
</tr>
<tr>
<td><strong>Charge of copying documents containing non-personal information:</strong></td>
<td>20c per page</td>
</tr>
<tr>
<td><strong>Additional information about charges</strong></td>
<td>Where excessive documents are sought, the applicant will be provided with an ‘<strong>Estimate of Costs</strong>’ 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.</td>
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<tr>
<td><strong>Cheque or money order:</strong></td>
<td>Payment made by cheque or money order must be made payable to “Commissioner of Police”.</td>
</tr>
<tr>
<td><strong>Additional Requirements:</strong></td>
<td>Applicants and authorised representatives must provide a copy of their current photo ID (e.g. passport, driver’s license).</td>
</tr>
<tr>
<td><strong>Additional Information:</strong></td>
<td>WA Police Force Freedom of Information Phone: (08) 6229 5900 Email: <a href="mailto:freedom.of.information@police.wa.gov.au">freedom.of.information@police.wa.gov.au</a></td>
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