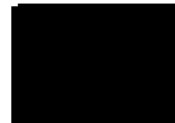


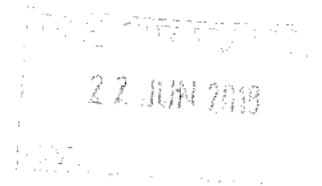


**SOUTH AUSTRALIA POLICE**  
KEEPING SA SAFE

Your Ref:  
Our Ref:  
Enquiries:  
Telephone:  
Facsimile:



Commissioner Lander  
Independent Commission Against Corruption  
GPO Box 11066  
Adelaide SA 5001



Commissioner Lander

**Re: Request for a written submission to assist with the evaluation of practices, policies and procedures of SafeWork SA**

I am writing to acknowledge the receipt of your letter dated 5 June 2018 for which you have invited the South Australia Police (SAPOL) to provide a written submission regarding matters of relevance to your evaluation of SafeWork SA practices, policies and procedures.

Following consultation with numerous SAPOL managers only two issues of concern have been identified that relate to the investigation of incidents in which SAPOL and SafeWork SA share a common interest. The issues both relate to the investigation by SAPOL of deaths for the Coroner which may also involve the investigation of criminal offences which is classified as a workplace accident.

The first issue concerns the seizure and storage of documentary evidence held by SAPOL for which written notices pursuant to section 171 of the *Work Health and Safety Act 2012* have been issued by SafeWork SA. The requirement to deliver an original document that is required for a SAPOL criminal and/or Coronial investigation may compromise such investigation as the integrity of the original document could be subject to legal challenge or the scrutiny of the court. Additionally the provision of evidentiary documents during the early stages of a SAPOL investigation to SafeWork SA could further compromise the investigation particularly if suspects or witnesses need to be interviewed with respect to the content of those documents.

The second issue involves some SafeWork SA employees seeking documents via direct approaches to SAPOL employees rather than seeking documents via the provision of an email to SAPOL Information Service Branch who have the responsibility for coordinating the provision of information to external organisations or individuals. The SAPOL General

Order (policy) Workplace Accidents was recently amended at the request of SafeWork SA which provides guidance to SAPOL employees concerning both of these issues.

I do not seek the opportunity to speak to this written submission during a public hearing and consider that SAPOL in partnership with SafeWork SA is working together regarding the investigation of workplace fatalities.

Should you require further information please feel free to contact [REDACTED] on phone [REDACTED] or via email on [REDACTED]

Yours sincerely



(Philip Newitt)  
ASSISTANT COMMISSIONER OF POLICE  
Acting Deputy Commissioner

22 June 2018