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Government of South Australia

Department of the Premier
and Cabinet

DPC20/1462

29 October 2020

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Adelaide SA 5001
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www.dpc.sa.gov.au

Mr Chris Picton MP
Member for Kaurna
9/720 Grand Boulevard
SEAFORD MEADOWS SA 5169

Sent by email: shadowhealth@parliament.sa.gov.au

Dear Mr Picton

Freedom of information application

I refer to your request received by the Office of the Premier seeking access under section 13 of the *Freedom of Information Act 1991* (the Act) to:

All documents (including but not limited to briefings, minutes, letters, emails, instant messages, proposals, notes) relating to exemptions for AFL player families from cross-border exemptions. Date range - 01/08/2020 to 24/09/2020

The Department for the Premier and Cabinet (DPC) is responsible for providing determinations on behalf of the Office of the Premier. Under the Act, an agency has 30 days to respond to a freedom of information request. As DPC did not respond to your request within the time frame required, the department is deemed to have refused you access to all documents relevant to your application. However, I have determined to process the request as if the statutory time frame had been met.

Eight documents were identified as answering the terms of your application and I have determined to release these documents as follows:

- I grant you access in full to one document, copy enclosed, and
- I grant you access in part to seven documents, copies of which are enclosed.

Document released in full

Document 5

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Documents released in part

1 – 4 and 6 – 9

Sections of these documents contain information relating to the personal affairs of multiple third parties. Under clause 6(1) of Schedule 1 to the Act, information is exempt if releasing it would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. I have considered that the application of clause 6(1) requires two elements, one that the information contains the personal affairs of that person; and secondly that disclosure would be unreasonable and contrary to public interest. I have determined that this information falls within the category of 'personal affairs' as listed under section 4(1) of the Act, thereby meeting the first elements of this clause.

Further, I have considered whether the disclosure of this information would be unreasonable. In doing so, I have considered the relevance of this information to the public and the likelihood as to whether the person in question would consent to disclosure. I have concluded that this information was likely obtained in confidence and through measures which would otherwise make it unavailable to the public. I have considered the factors in favour of public interest and determined that these factors are outweighed by the need to maintain personal confidentiality in this instance. Therefore, I have determined that this information meets the requirements of clause 6(1) and is thereby exempt pursuant to this clause.

Clause 6 – Documents affecting personal affairs

- (1) 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).*

FOI Disclosure Log

In compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DPC is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DPC website. A copy of PC045 can be found at the following address: <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars> Please visit the website for further information.

Right to internal review

If you are aggrieved with this determination, you have a right to apply for internal review under subsection 29(1) of the Act. Pursuant to subsection 29(2), your application must:

- be in writing
- be addressed to the principal officer, and

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- be lodged at an office of DPC, or emailed to DPCFOIUnit@sa.gov.au within 30 days after the day on which you receive this letter or within such further time as the principal officer may allow.

If you have any questions in relation to this matter, please contact Denise Cranwell, Freedom of Information Officer, on telephone 8429 7312, or via email at denise.cranwell@sa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eamonn Maloney', with a stylized, cursive-like flow.

Eamonn Maloney
ACCREDITED FOI OFFICER

Attachment(s):

- Schedule of documents
- Documents for release

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SCHEDULE OF DOCUMENTS – DPC20/1462

Freedom of information application from Mr Chris Picton MP seeking access to *All documents (including but not limited to briefings, minutes, letters, emails, instant messages, proposals, notes) relating to exemptions for AFL player families from cross-border exemptions. Date range - 01/08/2020 to 24/09/2020*

No.	Date	Document description	Exemption clauses	Released (part/full/refused)
1.	23/09/2020	Email	6(1) personal affairs	Partial release
2.	23/09/2020	Email	6(1) personal affairs	Partial release
3.	23/09/2020	Email	6(1) personal affairs	Partial release
4.	23/09/2020	Email	6(1) personal affairs	Partial release
5.	23/09/2020	Email	Nil	Release in full
6.	23/09/2020	Email	6(1) personal affairs	Partial release
7.	23/09/2020	Email	6(1) personal affairs	Partial release
8.	23/09/2020	Email	6(1) personal affairs	Partial release

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Said, Danielle (DPC)

From: noreply@squiz.net
Sent: Wednesday, 23 September 2020 5:39 PM
To: DPC:Premier
Subject: Premier website - Contact us

Categories: sent to RM

Name: 6(1) Personal affairs
Email: [REDACTED]

Message: I am horrified to hear that some SA Health employee has taken it upon themselves to give special exemptions to relatives of football players from Port Adelaide to come to Adelaide. Once again an AFL football club has shown that it thinks it is above the law. All involved must be held to account!

Details

Said, Danielle (DPC)

From: noreply@squiz.net
Sent: Wednesday, 23 September 2020 6:19 PM
To: DPC:Premier
Subject: Premier website - Contact us

Categories: sent to RM

Name: 6(1) Personal affairs

Email: [REDACTED]

Message: With all thats happening with your Liberal team I would have thought by know you would have tightened up bulls up. How can you let someone who allowed 11 friends of power footballers into sa escape with just counselling. That is a joke.Those involved should be sacked and CHARGED. 6(1) Personal affairs

Details

Said, Danielle (DPC)

From: noreply@squiz.net
Sent: Wednesday, 23 September 2020 8:07 PM
To: DPC;Premier
Subject: Premier website - Contact us

Categories: sent to RM

Name: 6(1) Personal affairs
Email:

Message: You should not have this person involved with decisions relating to covid . She has too many conflicts of interest with her promotion of events . Hitaf has a long history in sports management including 10 years as General Manager - Communications in the AFL at the Port Adelaide Football Club

Details

Said, Danielle (DPC)

From: 6(1) Personal affairs
Sent: Wednesday, 23 September 2020 8:51 PM
To: DPC:Premier
Subject: AFL Victorian visitors

Categories: sent to RM, Jas

Dear Premier

I would suggest an immediate intervention to stop these Victorian supporters from entering SA to watch Port. There will be a backlash if this absolutely disgraceful decision is not revoked ASAP.

6(1) Personal affairs



Said, Danielle (DPC)

From: Ben Palmer <ben.palmer@crocmmedia.com>
Sent: Wednesday, 23 September 2020 9:48 PM
To: DPC:Premier
Subject: Interview request

Categories: sent to RM, Jas

To Whom it may concern,

My name's Ben Palmer from SEN SA, producer of our radio stations Drive show with Kym Dillon and Michelangelo Rucci.

I'm getting in touch in regards to getting Steven Marshall on the show tomorrow afternoon (Thursday September 24), to discuss the allowance of five Port Adelaide families to cross over our borders from Victoria and your stance on the decision.

More than happy to chat at a time where Premier Marshall would be available.

Kind regards,

Ben.

Sent from my iPhone

Get [Outlook for iOS](#)

Said, Danielle (DPC)

From: noreply@squiz.net
Sent: Wednesday, 23 September 2020 10:29 PM
To: DPC:Premier
Subject: Premier website - Contact us

Categories: sent to RM, Jas

Name: 6(1) Personal affairs
Email: [REDACTED]

Message: Hi Stephen Although I a happier with most of your decisions in the past re Covid 19.....but...REALLY letting Port Power family in the state before my family can come in!!! It's not for compassionate grounds!!!...I have missed funerals...not happy Jan.. 6(1) Personal affairs
6(1) Personal affairs Sent from my iPad

Details

Said, Danielle (DPC)

From: 6(1) Personal affairs
Sent: Thursday, 24 September 2020 3:59 PM
To: DPC:Premier
Cc: Health:Minister for Health
Subject: Re: Travel exemption provision

Importance: High

Categories: sent to RM

Mr Steven Marshall
Premier of South Australia

Dear Mr Marshall

I refer to the announcement that you are to review circumstances around parents of Port Adelaide players being granted exemptions to enter South Australia from Victoria.

I urge you to extend this investigation and consider the whole process of applying to be granted exemption, as my recent experience was unnecessarily disappointing, distressing and lacked any level of 'customer service' at a time that was clearly distressing for my family and myself.

Two weeks ago I joined my family in Adelaide at the funeral service 6(1) Personal affairs

For two weeks prior to that I was in SA hotel quarantine.

For the two weeks prior to that I was in Melbourne, making repeated requests to the Health exemptions COVID19 email address; the COVID19 phone line; yourself, the Minister for Health, the SA Health CEO and the SA Chief Medical Officer whilst trying to grieve 6(1) Personal affairs death and give support for my SA family from interstate. Until 9.42pm 25/8/20 the only written response I had received was the notice on 18/8/20 at 11pm that request to travel to South Australia was not granted.

I support the measures regarding closing the border, but found it confounding that the Emergency Management provisions gave clear provision for a resident of Victoria, Clause 6, Subclause 3c to be allowed entry into South Australia as specified in Schedule 2 Clause 7(3)(c) – attending a funeral in South Australia. So of course I applied!

The lack of information available (not even guidelines) and no transparent process mean that I had no knowledge of how to progress my request. There are no words to say how frustrating and distressing this period became.

Whilst I was eventually successful I am left with many questions.

I look forward to your response and make myself available to speak to staff in your Department

Sincerely

6(1) Personal affairs

On 20 Aug 2020, at 6:26 pm, 6(1) Personal affairs wrote:

Mr Steven Marshall
Premier of South Australia

Dear Mr Marshall

I am an ex-pat South Australian 6(1) Personal affairs

On looking into my attending his funeral I was pleased to discover that Emergency Management, Cross Border Travel No 11-COVID19 Direction 2020 provides for this.

As a resident of Victoria, Clause 6, Subclause 3c allows for my entry into South Australia as specified in Schedule 2 Clause 7(3)(c) – attending a funeral in South Australia.

My position is that I fully support SA's position to close the borders and would not be raising this if there wasn't an exemption provided for.

My emails requesting this exemption be applied and approval given to enter SA for this purpose have gone unanswered.

As you would appreciate this is a very stressful time and I appreciate this provision is available. SAPOL have said that all they need from me to enter is SA is the approval I seek.

I have been planning to travel to SA Mon 24 Aug 2020.

Sincerely

6(1) Personal affairs

Said, Danielle (DPC)

From: noreply@squiz.net
Sent: Thursday, 24 September 2020 4:26 PM
To: DPC:Premier
Subject: Premier website - Contact us

Categories: sent to RM

Name: 6(1) Personal affairs

Email:

Message: I don't understand how football families can come from Vic which is high with covid ,yet we can't even go dance around our table when we watch a live band ,we can't even stand next to our table we have to sit ,else security throws us out ,it's time to at leaste allow us to dance near our table ,

Details