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Ombudsman reports on trial drug detection powers

A report on the Ombudsman's 12-month review of the *Police Powers (Drug Detection Trial) Act 2003* was tabled in Parliament today.

The Act established an 18-month trial giving police the power to set up roadside check points to stop and screen vehicles with sniffer dogs with the aim of detecting and frustrating persons involved in the trafficking of drugs by road.

“Despite the best efforts of police, the trial powers were ineffective in assisting police to apprehend drug couriers on a sustained basis,” the Ombudsman, Mr Bruce Barbour said.

The review found that police only located drugs in 2% of vehicles stopped and that the majority of those people found with drugs were in possession of extremely small amounts of cannabis.

The Ombudsman noted that the rapid dissemination of information about the nature and location of check points via CB radio and mobile phone networks pose seemingly insurmountable challenges for police who rely on the element of surprise when conducting operations targeting drug couriers.

The Ombudsman also noted that the limited ability of drug detection dogs to accurately detect the scent of drugs while screening the outside of vehicles seriously undermines the capacity of police to target heavy vehicles involved in the trafficking of drugs.

“I have considerable reservations about whether these, or similar powers will ever result in the cost-effective detection of persons involved in road-based drug trafficking,” Mr Barbour said.

Given the minimal success of this trial and a previous trial of similar powers, the Ombudsman recommended that Parliament consider whether there is any merit in continuing to trial the powers.

The Ombudsman also recommended the Parliament consider allowing the ‘sunset’ provision to automatically repeal the legislation, which is due to occur on 22 August 2008.

Copies of the Ombudsman's report are available at: www.ombo.nsw.gov.au