

Report under Section 49(1) of the  
*Surveillance Devices Act 2007*  
for the 6 months ending 30 June 2011

November 2011



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*Surveillance Devices Act 2007*  
the period ending 30 June 2011

November 2011

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**ISBN: 978-1-921884-47-4**

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30 November 2011

The Hon Greg Smith SC MP  
Attorney-General, and Minister for Justice  
Level 31, Governor Macquarie Tower  
1 Farrer Place  
Sydney NSW 2000

Dear Attorney-General

**Report under section 49(1) of the *Surveillance Devices Act 2007* for the six months ending 30 June 2011**

The *Surveillance Devices Act 2007* requires the Ombudsman to inspect the records of the NSW Police Force, the New South Wales Crime Commission, the Independent Commission Against Corruption and the Police Integrity Commission in relation to their use of surveillance device warrants to determine whether or not the requirements of the Act are being complied with.

The Act requires me to report to you at six monthly intervals on the results of these inspections.

I am pleased to present you with the report under section 49(1) of the *Surveillance Devices Act 2007* which covers our inspection of records relating to covert search warrants for the six months up to 30 June 2011.

Pursuant to section 49(2) of the Act, the Attorney-General is required to lay the report (or cause it to be laid) before both Houses of Parliament within 15 days following its receipt.

Once tabled it is my intention to publish the report on the Ombudsman's website [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

I would therefore appreciate your earliest advice as to the tabling of the report.

Yours sincerely



Bruce Barbour  
**Ombudsman**



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# Introduction

The *Surveillance Devices Act 2007* (NSW) (SD Act) began operation on 1 August 2008 and allows for the use of surveillance devices to investigate crime and to enable evidence to be obtained of the commission of such crime or the identity or location of the offender(s). The SD Act covers the installation, use and maintenance of listening, optical, tracking, and data surveillance devices and restricts the communication and publication of private conversations, surveillance activities, and information obtained from their use.

The SD Act also establishes an accountability regime. Reporting and record keeping obligations are imposed on the law enforcement agencies eligible to use surveillance devices as are provisions for the safe keeping and destruction of information obtained from the use of surveillance devices.

The SD Act also requires the NSW Ombudsman to conduct inspections of the surveillance device records of law enforcement agencies to determine the extent of compliance by law enforcement agencies and law enforcement officers with the SD Act.

Four law enforcement agencies<sup>1</sup> are currently the subject of these inspections:

## **NSW Police Force**

## **NSW Crime Commission**

## **The Police Integrity Commission**

## **The Independent Commission Against Corruption**

The Ombudsman is required by section 49(1) of the SD Act to report to the Minister at six-monthly intervals on the result of inspections. The Minister is required by section 49(2) to lay the report or cause the report to be laid before both Houses of Parliament within 15 days after receiving the report

This report is for the period 1 January 2011 until 30 June 2011.

## Scope of the inspection

The aim of the legislation is to enable law enforcement agencies to utilise surveillance devices to assist in the successful investigation and prosecution of certain offences. Such use is, of course, subject to meeting certain procedural and record keeping requirements. The inspection and monitoring by the Ombudsman aims to foster agency compliance with the SD Act and to provide public accountability through regular reporting to the Minister and Parliament. The approach taken in the inspections conducted by the Ombudsman is to examine the records of each agency for compliance with the record and document keeping requirements while at the same time considering such other aspects of compliance as it is possible to determine from those records and from questions asked of relevant law enforcement officers.

There are three main areas of compliance that are the focus of the inspection process carried out under the SD Act. Part 3 deals with warrants and emergency authorisations and Part 5 deals with compliance and monitoring and includes dealing with records obtained by use of surveillance devices, the use, communication or publication of protected information and reporting and record keeping. Part 6 requires the particulars of warrants sought under Part 3 to be notified to the Attorney-General and requires the person to whom a warrant was issued to inform the subject of the surveillance if directed by the eligible Judge.

Surveillance device warrants are issued by eligible Judges of the Supreme Court or eligible Magistrates in the case of a surveillance device warrant that authorises the use of a tracking device only or a retrieval warrant in respect of a tracking device. The SD Act requires that applications must include certain information and generally must be accompanied by an affidavit setting out the grounds on which the warrant is sought. While the inspection of the records includes an examination of the matters required to be specified it does not examine the sufficiency or otherwise of the information in support of the application. That is a matter for the relevant judicial officer to determine.

The Ombudsman inspects each individual surveillance device warrant file at each agency. The inspection involves an examination of the application, warrant, notice to the Attorney-General and the report to the issuing judicial officer and the Attorney-General, and any other information contained on the file.

<sup>1</sup> Note: The SD Act also empowers the use of surveillance devices by the Australian Crime Commission but the inspection and reporting of that agency's use of surveillance devices is carried out by the Commonwealth Ombudsman.

The inspection involves checking that:

- the application is made to an eligible Judge or in the case of an application for a surveillance device authorising the use of a tracking device only, an eligible Magistrate
- the application includes the name of the applicant and the nature and duration of the warrant including the kind of device sought and is supported by an affidavit
- the warrant contains the information required by s.20
- any extension or variation to the warrant complies with s.22
- the revocation of a warrant complies with s.23
- the law enforcement officer to whom the warrant is issued or who is primarily responsible for executing the warrant and is satisfied the use of the warrant is no longer necessary informs the chief officer immediately and that the chief officer when informed that the use of the device is no longer necessary takes steps to discontinue the use of the device or devices as soon as practicable
- where a warrant has been revoked the use of the device is discontinued immediately
- the s.51 notice contains the required information and has been provided to the Attorney-General before the warrant has been issued and that the Attorney-General has been given an opportunity to be heard on the application if so desired
- the report under s.44 has been provided to the eligible judge and the Attorney-General within the time specified in the warrant
- the report complies with the requirements of s.41
- the application for continued use of an authorised surveillance device in an emergency situation complies with ss.31 and 32
- within 2 business days an application for approval after the use of a surveillance device without a warrant is made to an eligible judge and that such approval complies with s.33
- the register of warrants and emergency applications contains the information required by s.47
- that any directions under s.52 have been complied with.

The inspection also includes examining records relating to the use of protected information obtained by the use of surveillance devices and the security of those records at various locations.

## Inspection Overview

During the period 1 January 2011 to 30 June 2011 a total of 376 surveillance device warrants were granted across the four NSW law enforcement agencies.

**Figure 1: Surveillance device warrants issued: 1 January 2011 – 30 June 2011**

<b>Agency</b>	<b>Number</b>
NSW Police Force	317
NSW Crime Commission	58
Independent Commission Against Corruption	1
Police Integrity Commission	0
<b>Total</b>	<b>376</b>

**Figure 2: Surveillance device warrants reports<sup>2</sup>: 1 January 2011 – 30 June 2011**

<b>Agency</b>	<b>Number</b>
NSW Police Force	246
NSW Crime Commission	53
Independent Commission Against Corruption	1
Police Integrity Commission	4
<b>Total</b>	<b>304</b>

**Figure 3: Surveillance device warrants revoked: 1 January 2011 – 30 June 2011**

<b>Agency</b>	<b>Number</b>
NSW Police Force	79
NSW Crime Commission	0
Independent Commission Against Corruption	1
Police Integrity Commission	0
<b>Total</b>	<b>80</b>

**Figure 4: Emergency use of surveillance devices: 1 January 2010 – 30 June 2010**

<b>Agency</b>	<b>Number</b>
NSW Police Force	0
NSW Crime Commission	0
Independent Commission Against Corruption	0
Police Integrity Commission	0
<b>Total</b>	<b>0</b>

<sup>2</sup> Reports received by the Attorney-General within the relevant year



# NSW Police Force

During the reporting period 379 surveillance device files were inspected, 317 warrants were issued, one of which was a retrieval warrant. No emergency authorisations were granted and 63 applications were cancelled, no longer required or were still being processed at 30 June 2011.

We were satisfied that the NSW Police Force had generally complied with its obligations under the SD Act, with one exception outlined below regarding the failure to provide reports to the eligible Judge or eligible Magistrate and Attorney-General within the timeframe specified in the warrant (as required under s.44 of the SD Act).

## Compliance with obligations relating to the keeping of documents connected with warrants and emergency authorisations

### Warrants

#### Section 17 Applications for a surveillance device warrant

All applications were made to eligible Judges. No applications were made to eligible Magistrates in the case of applications for a surveillance device authorising the use of a tracking device only.

#### Section 18 Remote Application

There were six remote applications made.

All applications were notified to the Attorney-General and affidavits were provided to the issuing judicial officer within the legislative timeframe.

#### Section 22 Extension and variation of surveillance device warrant

Twenty three warrants were varied or extended during the reporting period.

#### Section 23 Revocation of surveillance device warrant

There were 79 revocations during the reporting period.

#### Section 24 Discontinuance of use of surveillance device under warrant

Section 24(2)(a) requires that a surveillance device which is no longer necessary for the purpose of enabling evidence to be obtained is discontinued as soon as practicable. The NSW Police Force utilise a Notification of Discontinuation form to record such action. Section 24(2)(b) further requires that following a discontinuation an application be made for the revocation of the warrant under section 23.

While the SD Act requires that a surveillance device be discontinued as soon as practicable after the chief officer of the law enforcement agency is satisfied that the use of the device is no longer necessary, there is no time limit required for the making of an application for revocation of the warrant. As a matter of administrative practicality, I have taken the view that where a warrant expires within 5 days of the formal discontinuance of the use of a surveillance device, I will not consider the failure to make application for a revocation to be unreasonable. In all cases inspected where there was a revocation, there was a notice of discontinuance of the use of the surveillance device on file.

#### Section 25 Application for retrieval warrant

One application was made for a retrieval warrant and the warrant was granted.

#### Section 26 Remote application

No remote applications were made for retrieval warrants.

#### Section 30 Revocation of retrieval warrant

No retrieval warrants were revoked.

## Emergency Authorisations

### Section 31 Emergency use of surveillance devices – threat of serious personal violence or substantial property damage

There was no emergency use of surveillance device warrants.

### Section 32 Emergency authorisation - continued use of surveillance devices in participating jurisdiction

There was no emergency use of surveillance device warrants.

### Section 33 Application for approval after use of surveillance device without warrant or under emergency authorisation

There was no emergency use of surveillance device warrants.

## Compliance and monitoring

### Section 40 Prohibition on use, communication or publication of protected information

During this reporting period additional inspections were carried out at State Crime Command, Firearms and Organised Crime Squad, Robbery and Serious Crime Squad and Casino Investigation Unit. Staff at these locations used the Protected Information Registers and protected information was securely stored. Where protected information was obtained under controlled operations by law enforcement participants operating under assumed names this information was also recorded and stored securely.

### Section 41 Dealing with records obtained by use of surveillance devices

NSW Police Force personnel use the protected information registers to record any dealing with protected information. Certain staff within each Local Area Command must also inspect these records in addition to our inspections.

### Section 44 Reports to eligible Judge or eligible Magistrate and Attorney-General

Section 44 of the SD Act requires a report to be furnished to the eligible Judge, or eligible Magistrate, as the case may be, and to the Attorney-General within the time specified in the warrant (60 days). The following reports were delayed.

Several of these reports had been previously identified as missing and the Covert Applications Unit has spent considerable time retrieving these reports from the officers responsible for the warrant.

Warrant Number	Issued	Expiry	Report to AG	Number of Days
SD09/0505	20-Oct-09	18-Jan-09	05-Jan-11	717
SD09/0632	22-Dec-09	20-Jan-09	06-Jan-11	716
SD10/0559	16-Dec-10	16-Mar-10	20-Apr-11	400
SD09/0556	19-Nov-09	18-Jan-10	01-Feb-11	379
SD09/0512	19-Oct-09	17-Jan-10	25-Jan-11	373
SD09/0369	04-Aug-09	31-Jan-10	01-Feb-11	366
SD09/0552	30-Nov-09	29-Jan-10	25-Jan-11	361
SD09/0524	29-Oct-09	12-Jan-10	05-Jan-11	358
SD09/0606	02-Dec-09	16-Jan-10	05-Jan-11	354
SD09/0551	26-Nov-09	23-Feb-10	01-Feb-11	343
SD09/0629	22-Dec-09	20-Feb-10	25-Jan-11	339
SD09/0548	11-Nov-09	09-Feb-10	05-Jan-11	330
SD09/0602	04-Dec-09	04-Mar-10	25-Jan-11	327
SD09/0616	10-Dec-09	10-Mar-10	27-Jan-11	323

Warrant Number	Issued	Expiry	Report to AG	Number of Days
SD10/0252	21-May-10	20-Jul-10	11-May-11	295
SD10/0240	12-May-10	10-Jul-10	29-Mar-11	262
SD10/0105	25-Feb-10	25-Apr-10	06-Jan-11	256
SD10/0143	16-Mar-10	13-Jun-10	23-Feb-11	255
SD10/0047	01-Feb-10	01-May-10	06-Jan-11	250
SD10/0128	19-Mar-10	15-Jun-10	17-Feb-11	247
SD10/0172	15-Apr-10	14-Jun-10	15-Feb-11	246
SD10/0280	04-Jun-10	24-Jun-10	21-Feb-11	242
SD10/0201	03-May-10	01-Aug-10	15-Mar-11	226
SD10/0202	27-Apr-10	26-Jun-10	27-Jan-11	215
SD10/0220	28-Jun-10	27-Aug-10	29-Mar-11	214
SD10/0221	11-May-10	10-Jun-10	06-Jan-11	210
SD10/0187	16-Apr-10	18-Jun-10	04-Jan-11	200
SD10/0246	20-May-10	19-Jul-10	04-Jan-11	169
SD10/0412	12-Aug-10	11-Oct-10	23-Mar-11	163
SD10/0368	04-Aug-10	03-Oct-10	07-Mar-11	155
SD10/0276	04-Jun-10	02-Sep-10	03-Feb-11	154
SD10/0307	18-Jun-10	17-Aug-10	06-Jan-11	142
SD10/0421	10-Sep-10	09-Oct-10	21-Feb-11	135
SD10/0388	02-Aug-10	01-Oct-10	07-Feb-11	129
SD10/0278	04-Jun-10	02-Sep-10	04-Jan-11	124
SD10/0538	03-Nov-10	03-Dec-10	05-Apr-11	123
SD10/0389	05-Aug-10	03-Nov-10	03-Mar-11	120
SD10/0275	10-Jun-10	08-Sep-10	04-Jan-11	118
SD10/0492	11-Oct-10	10-Dec-10	04-Apr-11	115
SD10/0441	06-Sep-10	04-Dec-10	29-Mar-11	115
SD10/0062	12-Feb-10	08-Nov-10	03-Mar-11	115
SD10/0439	07-Sep-10	06-Nov-10	23-Feb-11	109
SD10/0337	01-Jul-10	29-Sep-10	06-Jan-11	99
SD10/0371	26-Jul-10	23-Oct-10	25-Jan-11	94
SD10/0504	15-Oct-10	13-Jan-11	11-Apr-11	88
SD10/0592	07-Dec-10	06-Jan-11	29-Mar-11	82
SD10/0436	02-Sep-10	01-Dec-10	21-Feb-11	82
SD10/0456	14-Sep-10	13-Dec-10	02-Mar-11	79
SD10/0570	25-Nov-10	23-Feb-11	12-May-11	78
SD10/0578	25-Nov-10	23-Feb-11	10-May-11	76
SD10/0434	07-Sep-10	05-Dec-10	17-Feb-11	74

There still remain a number of warrants which have not been reported on to the Attorney-General and my officers continue to work with the Covert Applications Unit to address this ongoing issue.

### **Section 47 Register of warrants and emergency authorisations**

The SD Act requires the chief officer of the law enforcement agency to keep a register of warrants and emergency authorisations. The register is required to specify certain particulars. The register contained the required particulars.

## **Evidentiary Certificates**

### **Section 50 Provision for the issue of evidentiary certificates**

No evidentiary certificates were issued during this reporting period.

## **Notifications to the Attorney-General**

### **Section 51 Particulars of warrants sought under Part 3 to be notified to the Attorney-General**

All notifications to the Attorney-General were in order.

### **Section 52 Requirement to inform subject of surveillance**

No orders were made requiring the subject of the surveillance to be informed.

## **Concluding Comments**

For the reporting period, the NSW Police Force was substantially compliant with the SD Act with the exception outlined above regarding the failure to provide reports to the eligible Judge or eligible Magistrate and Attorney-General within the timeframe specified in the warrant (as required under s.44 of the SD Act).

### **Recommendation (1)**

That the NSW Police Force take management action in relation to officers responsible for surveillance device warrants whose reports are seriously delayed and have ignored reminders from Covert Applications Unit to provide those reports.



# NSW Crime Commission

During the reporting period 58 surveillance device files were inspected, 58 warrants were issued during this period one of which was a retrieval warrant and no applications were refused. There were no applications for emergency use of devices.

We are satisfied that the NSW Crime Commission had generally complied with its obligations under the SD Act.

## Compliance with obligations relating to the keeping of documents connected with warrants and emergency authorisations

### Warrants

#### Section 17 Applications for a surveillance device warrant

Each application was made to an eligible Judge.

Applications for a surveillance device authorising the use of a tracking device only may be made to an eligible Magistrate. No such applications were made during the reporting period.

#### Section 18 Remote Application

No remote applications were made.

#### Section 22 Extension and variation of surveillance device warrant

Nine warrants were varied or extended.

#### Section 23 Revocation of surveillance device warrant

There were no revocations made during the reporting period.

#### Section 24 Discontinuance of use of surveillance device under warrant

Section 24 of the SD Act requires the use of a surveillance device to be discontinued as soon as practicable after the chief officer of the law enforcement agency is satisfied that the use of the device is no longer necessary.

All warrants which had been used were discontinued in a timely manner.

#### Section 25 Application for retrieval warrant

One application was made for a retrieval warrant.

#### Section 26 Remote application

No remote applications were made for retrieval warrants.

#### Section 30 Revocation of retrieval warrant

No retrieval warrants were revoked.

### Emergency Authorisations

#### Section 31 Emergency use of surveillance devices – threat of serious personal violence or substantial property damage

There were no applications for the emergency use of surveillance devices.

#### Section 32 Emergency authorisation – continued use of surveillance devices in participating jurisdiction

There was no emergency use of surveillance device warrants in participating jurisdictions.

### **Section 33 Application for approval after use of surveillance device without warrant or under emergency authorisation**

There were no applications for the emergency use of surveillance devices.

## **Compliance and monitoring**

### **Section 40 Prohibition on use, communication or publication of protected information**

While protected information was obtained through the use of surveillance devices, the information may be used in the future and the records of each use, communication and publication will be inspected in the future.

### **Section 41 Dealing with records obtained by use of surveillance devices**

The Commission has established guidelines for dealing with protected information. Protected information is stored in the Commission premises with those officers authorised to deal with it.

There were no destructions carried out of protected information at the time of these inspections.

### **Section 44 Reports to eligible Judge or eligible Magistrate and Attorney-General**

All reports were provided to the eligible Judge and Attorney-General within the time specified in the warrant (60 days).

### **Section 47 Register of warrants and emergency authorisations**

The SD Act requires the chief officer of the law enforcement agency to keep a register of warrants and emergency authorisations. The register is required to specify certain particulars.

The register of warrants contained all the particulars required and was accurate.

## **Evidentiary Certificates**

### **Section 50 Provision for the issue of evidentiary certificates**

No evidentiary certificates were issued during this reporting period.

## **Notifications to the Attorney-General**

### **Section 51 Particulars of warrants sought under Part 3 to be notified to the Attorney-General**

Section 51 notifications were provided in relation to all warrant applications.

### **Section 52 Requirement to inform subject of surveillance**

No orders were made requiring the subject of the surveillance to be informed.

## **Concluding Comments**

For the reporting period, the NSW Crime Commission was substantially compliant with the SD Act.

### **Recommendations (nil)**

No recommendations are made with regard to the NSW Crime Commission's compliance with these requirements under the SD Act.

# Independent Commission Against Corruption

During the reporting period one surveillance device file was inspected and the warrant was granted.

We were satisfied that the Independent Commission Against Corruption had generally complied with its obligations under the SD Act.

## Compliance with obligations relating to the keeping of documents connected with warrants and emergency authorisations

### Warrants

#### Section 17 Applications for a surveillance device warrant

The application was made to an eligible Judge. No applications were made to eligible Magistrates in the case of applications for a surveillance device authorising the use of a tracking device only.

#### Section 18 Remote Application

There were no remote applications made.

#### Section 22 Extension and variation of surveillance device warrant

There were no variations or extensions to the warrants issued.

#### Section 23 Revocation of surveillance device warrant

There was one revocation during the reporting period.

#### Section 24 Discontinuance of use of surveillance device under warrant

No surveillance devices were discontinued.

#### Section 25 Application for retrieval warrant

No applications were made for retrieval warrants.

#### Section 26 Remote application

No remote applications were made for retrieval warrants.

#### Section 30 Revocation of retrieval warrant

No retrieval warrants were issued and consequently none were revoked.

### Emergency Authorisations

#### Section 31 Emergency use of surveillance devices – threat of serious personal violence or substantial property damage

There were no emergency uses of surveillance devices.

#### Section 32 Emergency authorisation – continued use of surveillance devices in participating jurisdiction

There was no emergency use of surveillance device warrants in participating jurisdictions.

### **Section 33 Application for approval after use of surveillance device without warrant or under emergency authorisation**

There were no emergency uses of surveillance devices.

## **Compliance and monitoring**

### **Section 40 Prohibition on use, communication or publication of protected information**

While protected information was obtained through the use of surveillance devices, the information may be used in the future and the records of each use, communication and publication will be inspected in the future.

### **Section 41 Dealing with records obtained by use of surveillance devices**

The Commissioner has established guidelines for dealing with protected information. The protected information is stored on the Commission premises and restricted to those authorised to deal with it.

There were no destructions carried out of protected information at the time of these inspections.

### **Section 44 Reports to eligible Judge or eligible Magistrate and Attorney-General**

The report was provided to the eligible Judge and Attorney-General within the required timeframe and all reports contained the required information.

### **Section 47 Register of warrants and emergency authorisations**

The SD Act requires the chief officer of the law enforcement agency to keep a register of warrants and emergency authorisations. The register is required to specify certain particulars.

The register of warrants contained all the particulars required and was accurate.

## **Evidentiary Certificates**

### **Section 50 Provision for the issue of evidentiary certificates**

No evidentiary certificates were issued during this reporting period.

## **Notifications to the Attorney-General**

### **Section 51 Particulars of warrants sought under Part 3 to be notified to the Attorney-General**

All notifications were provided to the Attorney-General in relation to each application and contained all the required particulars.

### **Section 52 Requirement to inform subject of surveillance**

No orders were made requiring the subject of the surveillance to be informed.

## **Concluding Comments**

For the reporting period the Independent Commission Against Corruption was compliant.

### **Recommendations (nil)**

No recommendations are made with regard to the Independent Commission Against Corruption's compliance with these requirements under the SD Act.

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# Police Integrity Commission

During the reporting period no new surveillance device warrants were applied for.

We were satisfied that the Police Integrity Commission had generally complied with its obligations under the Act.

## Compliance with obligations relating to the keeping of documents connected with warrants and emergency authorisations

### Warrants

#### Section 17 Applications for a surveillance device warrant

During the reporting period no new surveillance device warrants were applied for.

#### Section 18 Remote Application

There were no remote applications made.

#### Section 22 Extension and variation of surveillance device warrant

There were no extensions or variations during this reporting period.

#### Section 23 Revocation of surveillance device warrant

There were no revocations during the reporting period.

#### Section 24 Discontinuance of use of surveillance device under warrant

There were no situations where the use of any surveillance device was discontinued during the reporting period and therefore no requirement to seek revocations of any warrants.

#### Section 25 Application for retrieval warrant

No applications were made for retrieval warrants.

#### Section 26 Remote application

No remote applications were made for retrieval warrants.

#### Section 30 Revocation of retrieval warrant

No retrieval warrants were issued and consequently none were revoked.

### Emergency Authorisations

#### Section 31 Emergency use of surveillance devices – threat of serious personal violence or substantial property damage

There were no emergency uses of surveillance devices.

#### Section 32 Emergency authorisation – continued use of surveillance devices in participating jurisdiction

There was no emergency use of surveillance device warrants in participating jurisdictions.

#### Section 33 Application for approval after use of surveillance device without warrant or under emergency authorisation

There were no emergency uses of surveillance devices.

## Compliance and monitoring

### **Section 40 Prohibition on use, communication or publication of protected information**

While protected information was not obtained during the reporting period, information which has previously been obtained through the use of surveillance devices may be used in the future and the records of each use, communication and publication will be inspected.

### **Section 41 Dealing with records obtained by use of surveillance devices**

The Commissioner has established guidelines for dealing with protected information. The protected information is stored on the Commission premises and restricted to those authorised to deal with it.

There were no destructions carried out of protected information at the time of these inspections.

### **Section 44 Reports to eligible Judge or eligible Magistrate and Attorney-General**

Reports from previously issued warrants have been provided to the eligible Judge and Attorney-General within the required timeframe and contained the required information.

### **Section 47 Register of warrants and emergency authorisations**

The Act requires the chief officer of the law enforcement agency to keep a register of warrants and emergency authorisations. The register is required to specify certain particulars.

The register of warrants contained all the particulars required and was accurate.

## Evidentiary Certificates

### **Section 50 Provision for the issue of evidentiary certificates**

No evidentiary certificates were issued during this reporting period.

## Notifications to the Attorney-General

### **Section 51 Particulars of warrants sought under Part 3 to be notified to the Attorney-General**

There were no fresh applications during the reporting period.

### **Section 52 Requirement to inform subject of surveillance**

No orders were made requiring the subject of the surveillance to be informed.

## Concluding Comments

For the reporting period the Police Integrity Commission was compliant.

### **Recommendations (nil)**

No recommendations are made with regard to the Police Integrity Commission's compliance with these requirements under the SD Act.



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