

**Report under Section 49(1) of the
Surveillance Devices Act 2007
for the period ending
31 December 2014**

April 2015

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Introduction

The *Surveillance Devices Act 2007* (NSW) (the Act) 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 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 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 Act requires the NSW Ombudsman to conduct inspections of the surveillance device records of law enforcement agencies to determine the extent of compliance by those agencies and their officers with the Act.

Four law enforcement agencies¹ are currently the subject of these inspections:

- NSW Police Force
- NSW Crime Commission
- The Police Integrity Commission
- The Independent Commission Against Corruption

Legislative Changes

The *Law Enforcement (Controlled Operations) Amendment Act 2013* No 16 and the *Surveillance Devices Amendment (Police Body-Worn Video) Act 2014* No 81 both contain provisions which impact on section 39 of the *Surveillance Devices Act 2007*. Further discussion of these amendments is included in the 'Concluding comments' section of the chapter of this report relating to the NSW Police Force.

Reporting requirements

The Ombudsman is required by section 49(1) of the Act to report to the Minister at 6-monthly intervals on the results 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 July 2014 to 31 December 2014.

Scope of the inspection

The aim of the Act 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 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 can be determined from those records and from questions asked of relevant officers.

Inspections focus on compliance outlined in three main areas of the Act.

- Part 3 dealing with warrants and emergency authorisations.
- Part 5 covering compliance and monitoring, including dealing with records obtained by use of surveillance devices, the use, communication or publication of protected information, reporting and record keeping.
- Part 6 requiring notification to the Attorney about warrants sought, as well as notification to the subject of surveillance if directed by the eligible Judge.

¹ Note: The 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.

Surveillance device warrants are issued by eligible Judges of the Supreme Court or eligible Magistrates in the case of a surveillance device warrant authorising the use of a tracking device only or for a retrieval warrant in respect of a tracking device. Applications must include certain information and be accompanied by an affidavit setting out the grounds for seeking the warrant. 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 provided in support of the application. The relevant judicial officer must determine that.

The Ombudsman inspects each individual surveillance device warrant file at each agency. The inspection includes examining 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.

The inspection involves checking that:

- the application is made to an eligible Judge or in appropriate cases, 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 section 20
- any extension or variation to the warrant complies with section 22
- the revocation of a warrant complies with section 23
- the appropriate law enforcement officer notifies the chief officer immediately they are satisfied the use of the warrant is no longer necessary, and the chief officer 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 section 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 section 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 section 41
- the application for continued use of an authorised surveillance device in an emergency situation complies with sections 31-32
- where a surveillance device is used without a warrant, that an application for approval is made within two business days to an eligible judge and that such approval complies with section 33
- the register of warrants and emergency applications contains the information required by section 47
- that any directions under section 52 have been complied with.

Records relating to the use of protected information obtained by the use of surveillance devices, and the security of those records at various locations, are also inspected.

Overview of records inspected

During the period 1 July 2014 to 31 December 2014 we conducted inspections across the four NSW law enforcement agencies over 19 days. The following tables set out the total number of warrants issued, warrant reports received, warrants revoked, emergency uses of devices and retrieval warrants issued.

**Table 1. Surveillance device warrants issued
1 July 2014 to 31 December 2014**

	No. of warrants issued
NSW Police Force	362
NSW Crime Commission	55
Independent Commission Against Corruption	2
Police Integrity Commission	1
Total	420

**Table 2. Surveillance device warrant reports received
1 July 2014 to 31 December 2014**

	No. of warrant reports received
NSW Police Force	254
NSW Crime Commission	67
Independent Commission Against Corruption	0
Police Integrity Commission	0
Total	321

**Table 3. Surveillance device warrants revoked
1 July 2014 to 31 December 2014**

	No. of warrants revoked
NSW Police Force	44
NSW Crime Commission	16
Independent Commission Against Corruption	1
Police Integrity Commission	0
Total	61

**Table 4. Emergency use of surveillance devices
1 July 2014 to 31 December 2014**

	No. of emergency uses of surveillance devices
NSW Police Force	1
NSW Crime Commission	0
Independent Commission Against Corruption	0
Police Integrity Commission	0
Total	1

**Table 5. Retrieval warrants issued
1 July 2014 to 31 December 2014**

	No. of retrieval warrants issued
NSW Police Force	0
NSW Crime Commission	1
Independent Commission Against Corruption	0
Police Integrity Commission	0
Total	1

NSW Police Force

During the reporting period 362 surveillance device warrants were issued and one retrieval warrant was also issued. There were 44 revocations in this period.

The majority of records are located at Police Prosecutions, Covert Applications Unit, including applications, warrants, s.51 notices and s.44 reports. In relation to the protected information received as a result of surveillance device warrants, this information is kept with the officer responsible for the warrants at the relevant operational command or local area command as the case may be. The law enforcement officer responsible for the warrant is responsible for recording the use, communication or publication of protected information obtained under their warrant.

Any exceptions we have identified with the NSW Police Force's compliance with the Act are detailed below.

Warrant requirements

Section 17 Applications for a surveillance device warrant

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

An incorrect date was identified on the face of a warrant. This was noted by staff at Covert Applications Unit and we wrote to the Commissioner on 9 March 2015 suggesting legal advice be sought independent of Covert Applications as to the effect of this with particular regard to consequences of such an error on recordings made, and any further action that should be taken regarding the warrant.

The warrant for SD14/0562 indicated that two Data Surveillance Devices were authorised for an address when it appears the devices should have been listed as Listening Devices as per the application and section 51 Notice.

The NSW Police Force reported that these issues represented exceptions to standard practice, and that staff has been reminded to take more care with the accuracy of section 51 notices.

Section 18 Remote Application

There were seven remote applications made.

All remote applications were notified to the Attorney General and affidavits were provided to the issuing judicial officer within the legislative time frame.

Section 22 Extension and variation of surveillance device warrant

Twenty seven warrants were varied and/or extended during the reporting period. Two of these were extended and varied.

Section 23 Revocation of surveillance device warrant

There were 44 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 must be discontinued as soon as practicable. The NSW Police Force uses a Notification of Discontinuation form to record such action. Section 24(2)(b) further requires that when an application for discontinuation is made, an application is also made for the revocation of the warrant under section 23.

While the 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 specified for making an application for the revocation of the warrant.

Section 25 Application for retrieval warrant

No applications were made for retrieval warrants.

Section 26 Remote application for retrieval warrant

No remote applications were made for retrieval warrants.

Section 30 Revocation of retrieval warrant

No retrieval warrants were revoked.

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

There was one emergency use of a surveillance device warrant under this section.

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

The application for the emergency use of a surveillance device warrant was approved in accordance with the Act.

Compliance and monitoring requirements

The law enforcement officer responsible for the warrant is responsible for recording the use, communication or publication of protected information obtained under their warrant. We test the compliance of these individual law enforcement officers by conducting 'field' inspection by visiting specialist commands or local area commands throughout the metropolitan and regional areas.

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

Compliance with this section of the Act was not specifically tested during this reporting period as no additional inspections were carried out.

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. Senior officers at each Local Area Command are also tasked with inspecting these records in addition to our inspections. As we did not conduct any 'field' inspections during this period we did not specifically test compliance with this section of the Act.

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

The section 44 Report for warrant SD 14/0475 indicated that a body worn device was used between 17/07/2014 and 25/07/2014. However there was no indication as to the actual period the device was used, as required by section 44(1)(d). It is unlikely such a device was used continually for the period indicated and so we considered this an exception.

The section 44 report for warrant SD 14/0547 indicated that a body worn device was used between 30/07/2014 and 27/10/2014. However there was no record of the actual times or period the device was used, as is required by section 44(1)(d). Again, we considered this an exception as it is unlikely the device was used non-stop for the period indicated as it was used on the body of a registered source.

This issue has previously been raised in relation to other warrants. It appears to be an error on the part of the officers responsible for the warrant and results from some confusion in relation to the reporting obligations. This will be a focus at future inspections.

Section 44 of the 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 frame specified in the warrant. The maximum penalty for failure to comply with sections 44(1), (2) and (6) is 20 penalty units or imprisonment for a term of 12 months, or both. During the reporting period 494 section 44 reports were received representing a significant improvement in timeliness when compared with previous reporting periods.

In this inspection period, however, we identified the following exceptions in relation to the provision of s.44 reports within the requisite time frame. The officers responsible for these warrants ought to be subject to Part 8A complaints.

The reports for the following warrants had not been reported on within the time specified in the warrant, which was in each case 60 days:

Warrant	Number of Days	Warrant	Number of Days
SD14/0216	66	SD14/0491	92
SD14/0207	68	SD14/0574	93
SD14/0460	68	SD14/0604	93
SD14/0724	68	SD14/0490	96
SD14/0506	69	SD14/0518	96
SD14/0665	70	SD14/0488	99
SD14/0714	70	SD14/0674	102
SD14/0075	74	SD14/0629	105
SD14/0556	75	SD14/0498	110
SD14/0637	75	SD14/0672	114
SD14/0619	77	SD14/0495	124
SD14/0682	80	SD14/0137	127
SD14/0099	82	SD14/0633	128
SD14/0485	83	SD14/0308	136
SD14/0593	91	SD14/0642	139
SD14/0067RW	92	SD14/0356	200
		SD14/0355	203

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 NSW Police Force register contained the required particulars.

Evidentiary certificates

Section 50 Provision for the issue of evidentiary certificates

No evidentiary certificates were checked 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

In general the NSW Police Force was compliant in this regard, with the following exception.

The section 51 notice to the Attorney General for SD 14/0475 did not indicate whether any attempt has been made to obtain by alternative means the evidence or information sought and, if so, the result of any such attempt, or any other alternative means of obtaining the evidence or information sought to be obtained, as required by (e) and or (f).

NSW Police Force reported that this issue represented an exception to standard practice, and that staff have been reminded to exercise more care in the accuracy of section 51 notices.

Section 52 Requirement to inform subject of surveillance

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

Concluding comments

The NSW Police Force was generally compliant with the requirements of the Act during this reporting period apart from the exceptions discussed above.

I note my two suggestions made in our report for the period ending 30 June 2014 relating to 1) the use of protected information registers and, 2) the need for a targeted destruction regime, particularly in relation to protected information which has been recorded but noted as not relevant to the investigation, and that action in response is ongoing.

On December 2014 Ombudsman staff participated in a Professional Development Day for Criminal Investigators, conducted by the State Crime Command Expert Referral Team. During that training my staff outlined the Ombudsman's role and reinforced the compliance requirements, including the timely submission of section 44 reports.

In addition the Commissioner has pointed out that Covert Applications has improved the manual compliance systems and is collaborating with the Special Services Branch and Business and Technology Services on the development of a corporate IT system for the management of all stages of covert investigative methodology processes that will, among other things, automate the compliance process to meet statutory requirements.

I also intend to conduct targeted inspections specifically covering the destruction of protected information aspect of compliance. It may be necessary in the future for the NSW Police Force to develop a central register, similar to the process adopted by the Telecommunications Interception Branch, to address the destruction issues relating to surveillance devices.

An issue also arose in relation to recent amendments to the *Surveillance Devices Act 2007* by both the *Law Enforcement (Controlled Operations) Amendment Act 2013* No 16 and the *Surveillance Devices Amendment (Police Body-Worn Video) Act 2014* No 81.

These Acts amended section 39 of the *Surveillance Devices Act* in the following terms.

'protected information' means:

- (a) any information obtained from the use of a surveillance device under a warrant, emergency authorisation, corresponding warrant or corresponding emergency authorisation, or
- (b) any information relating to:
 - (i) an application for, issue of, existence or expiry of, a warrant, emergency authorisation, corresponding warrant or corresponding emergency authorisation, or
 - (ii) an application for approval of powers exercised in an emergency without a warrant under section 31 or under an emergency authorisation, or
 - (iii) an application under a corresponding law for approval of powers exercised under a corresponding emergency authorisation, or
- (c) any information obtained from use of a surveillance device as referred to in section 7 (4), or
- (d) any information obtained from the use, in accordance with section 50A, of body-worn video by a police officer.

Subsection (c) above relates to information obtained by the use of a surveillance device by participants in an authorised controlled operation, and subsection (d) relates to information obtained by using a police body-worn device (i.e. 'body cam').

There is however, no corresponding amendment to the destruction requirements of section 41 of the Act which requires a record or report obtained by the use of a surveillance device to be destroyed when it is not likely to be required for a purpose referred to in section 40(4) or (5).

The result is that records obtained by the use of a surveillance device under a warrant must be destroyed but those records obtained without a warrant - either during a controlled operation or by a police body-worn device - do not have to be destroyed when they are no longer required.

Recommendation

I recommend that the Attorney-General consider amending section 41 of the *Surveillance Devices Act 2007* (NSW) to require all 'protected information' be destroyed when no longer required for a purpose referred to in section 40(4) or (5).

NSW Crime Commission

During the reporting period 55 surveillance device warrants were issued and 16 surveillance device warrants were revoked. One retrieval warrant was issued. One application for a warrant was refused.

We were satisfied the NSW Crime Commission had complied with its obligations under the Act.

Warrant requirements

Section 17 Applications for a surveillance device warrant

All applications were made to eligible Judges. No applications were made to an eligible Magistrate for a warrant 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

Twenty three warrants issued during this reporting period were extended. A further 16 warrants issued during the previous reporting period were extended during this reporting period.

Section 23 Revocation of surveillance device warrant

There were 16 revocations of surveillance device warrants during the reporting period.

Section 24 Discontinuance of use of surveillance device under warrant

Section 24 of the 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. Some warrants were never used and were subsequently revoked.

Section 25 Application for retrieval warrant

There was one application for a retrieval warrant.

Section 26 Remote application for retrieval warrant

There were no remote applications for a retrieval warrant.

Section 30 Revocation of retrieval warrant

There were no revocations of retrieval warrants.

Emergency authorisations requirements

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

There was no emergency use of a surveillance device during the reporting period.

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 was no emergency use of a surveillance device during the reporting period.

Compliance and monitoring requirements

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 at the Commission premises with those officers authorised to deal with it.

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

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

Reports were provided to the eligible Judge and Attorney General within the time specified in the warrant and the reports contained all 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 at the NSWCC contained all the particulars required and was accurate.

Evidentiary certificates

Section 50 Provision for the issue of evidentiary certificates

No evidentiary certificates were checked 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. The notifications contained the information required.

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 compliant with the Act.

We have identified some practice issues with regard to destruction requirements at the NSW Crime Commission. I intend to write to the Commissioner identifying relevant protected information which according to our records ought to have been destroyed and requiring records of those destruction to be supplied to my office. During the next inspection period we will review the Commission's procedures relating to protected information to ensure they meet the statutory requirements for destructions and that those procedures are being applied.

Recommendations

No specific recommendations are made.

Independent Commission Against Corruption

During the reporting period two surveillance device files were inspected, all applications for warrants were granted. The two warrants were identical in all aspects. The first warrant ICAC14/0001 contained the incorrect expiry date and was returned for correction. The eligible judge made the correction but changed the number of the warrant to ICAC14/0002.

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

Warrant requirements

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 no remote applications made.

Section 22 Extension and variation of surveillance device warrant

No surveillance device warrants were extended or varied.

Section 23 Revocation of surveillance device warrant

There was one revocation of a surveillance device warrant during the reporting period.

Section 24 Discontinuance of use of surveillance device under warrant

Section 24 of the 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

There were no applications for a retrieval warrant.

Section 26 Remote application for retrieval warrant

There were no applications for a retrieval warrant.

Section 30 Revocation of retrieval warrant

No retrieval warrants were issued and consequently none were revoked.

Emergency authorisation requirements

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

There was no emergency use of a surveillance device during the reporting period.

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 was no application for approval after use of a surveillance device

Compliance and monitoring requirements

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 Independent Commission Against Corruption has established guidelines for dealing with protected information. Protected information is stored in the Independent Commission Against Corruption 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

Reports were provided to the eligible Judge and Attorney General within the time specified in the warrant and the reports contained all 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 at the Independent Commission Against Corruption contained all the particulars required and was accurate.

Evidentiary certificates

Section 50 Provision for the issue of evidentiary certificates

No evidentiary certificates were checked 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. The notifications contained the relevant information required.

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 with the Act.

Recommendations

No specific recommendations are made.

Police Integrity Commission

During the reporting period one surveillance device warrant was applied for and granted.

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

Warrants requirements

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

None of the warrants issued during this reporting period were extended or varied.

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 for retrieval warrant

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 requirements

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 requirements

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

Where protected information was obtained through the use of surveillance devices, the records of each use, communication and publication are contained in a register for this purpose.

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 Police Integrity 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

There were no reports provided to the Attorney General or Eligible Judge during the reporting period.

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 checked 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

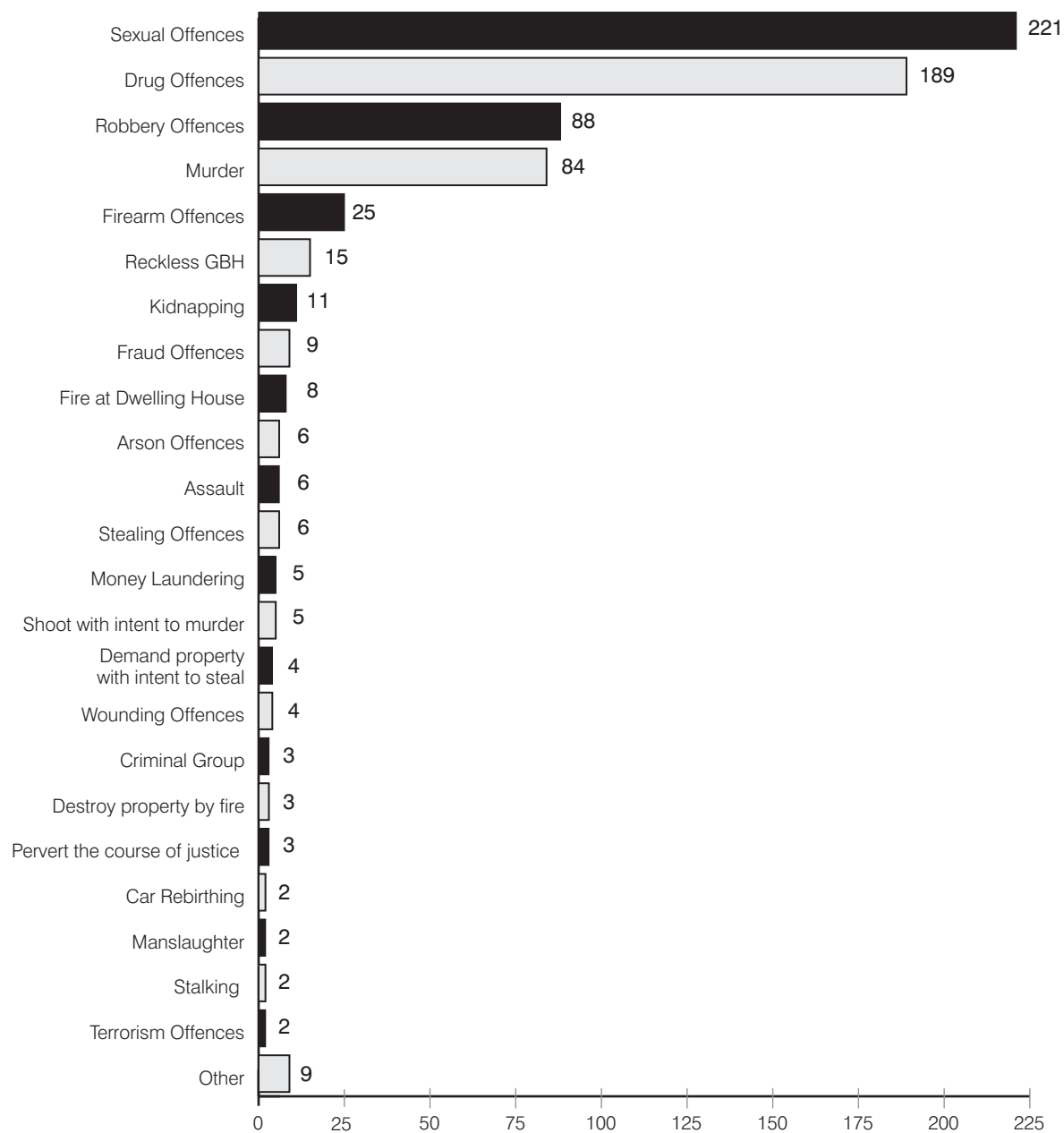
For the reporting period the Police Integrity Commission was compliant with the Act.

Recommendations

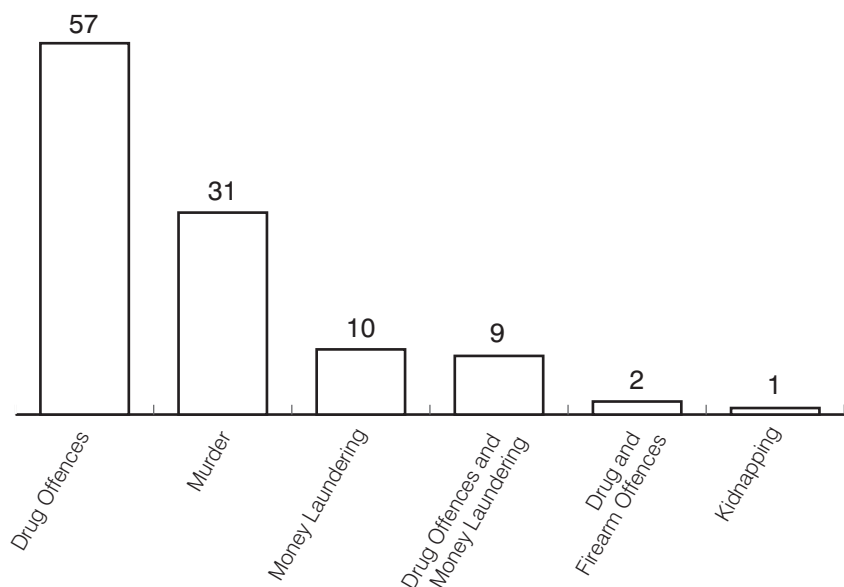
No specific recommendations are made.

Appendix A – Annual Statistics for 2014

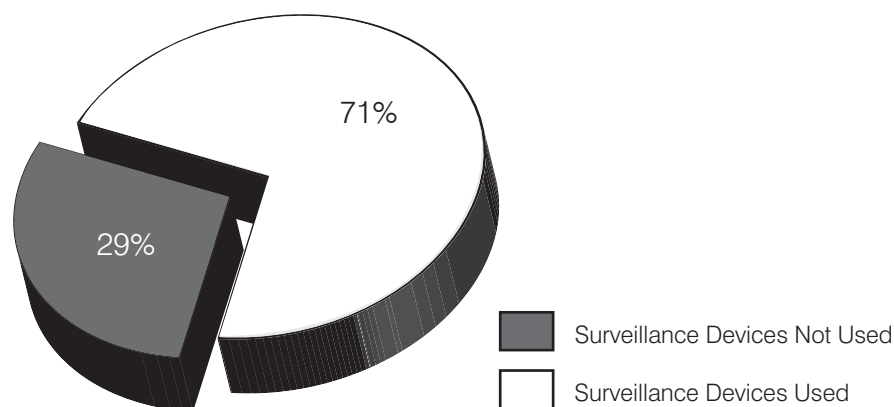
NSW Police Force Types of Offences Targeted - 2014



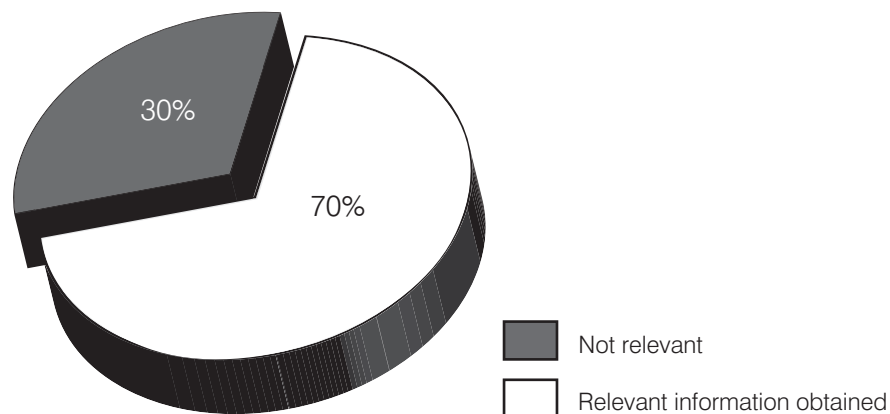
NSWCC Types of Offences Targeted - 2014



Use of Surveillance Devices on Warrants Granted - 2014



Relevant information obtained when surveillance devices used - 2014



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