

PART 5

Information Required by Statute

5.1 Interception warrants

In accordance with the provision of Section 29 of the Misuse of Drugs Amendment Act 1978, the following information is provided relating to the use of powers under the Misuse of Drugs Act 1975:

Section 14 (Interception Warrants)	2007/08	2006/07	2005/06
Number of applications made	34	31	49
Number of applications granted	34	31	49
Number of applications refused	Nil	Nil	Nil
*Number of persons warrants	33	29	43
Number of premises warrants	1	2	22
Number of warrants which authorised entry onto private premises	13	13	21
**Average duration of warrants including renewals (days)	27	20	36
Number of persons prosecuted	165	96	158
Number of persons convicted	14	Nil	43
Number of persons still under prosecution	151	96	115
Number of prosecutions instituted against Police (including former members) for offences against Section 23	Nil	Nil	Nil

Section 15A (Interception Warrants)	2007/08	2006/07	2005/06
Number of applications made	6	1	11
Number of applications granted	6	1	11
Number of applications refused	Nil	Nil	Nil
Number of persons warrants	5	1	11
Number of premises warrants	1	Nil	9
Number of warrants which authorised entry onto private premises	2	Nil	7
Average duration of warrants including renewals – in days	43	15	42
Number of persons prosecuted	27	Nil	65
Number of persons convicted	Nil	Nil	17
Number of persons still under prosecution	27	Nil	48
Number of prosecutions instituted against Police (including former members) for offences against Section 23	Nil	Nil	Nil

* One physical warrant counted as one warrant, regardless of number of subjects or premises included.

** Duration regarded as actual duration of interception, not duration granted.

Section 18 (Renewal of Warrants)	2007/08	2006/07	2005/06
Number of applications made	Nil	1	4
Number of applications granted	Nil	1	4
Number of applications refused	Nil	Nil	Nil
Number of persons warrants	Nil	1	4
Number of premises warrants	Nil	Nil	Nil
Number of warrants which authorised entry onto private premises	Nil	Nil	Nil

Section 19 (Emergency Permits)	2007/08	2006/07	2005/06
Number of applications made	Nil	1	Nil
Number of applications granted	Nil	1	Nil
Number of applications refused	Nil	Nil	Nil
Number of interceptions recorded	Nil	316	Nil

In accordance with the provisions of Section 312Q of the Crimes Amendment Act (No 2) 1997, the following information is provided:

Section 312B (Interception Warrants)	2007/08	2006/07	2005/06
Number of applications made	Nil	10	1
Number of applications granted	Nil	10	1
Number of applications refused	Nil	Nil	Nil
Number of persons warrants	Nil	12	1
Number of premises warrants	Nil	1	Nil
Number of warrants which authorised entry onto private premises	Nil	5	1
Average duration of warrants including renewals - in days	Nil	19	Nil
Number of persons prosecuted	Nil	22	Nil
Number of persons convicted	Nil	4	Nil
Number of persons still under prosecution	Nil	16	Nil
Number of prosecutions instituted against Police (including former members) for offences against Section 23	Nil	Nil	Nil

Section 312CA (Interception Warrants)	2007/08	2006/07	2005/06
Number of applications made	26	28	17
Number of applications granted	26	28	17
Number of applications refused	Nil	Nil	Nil
Number of persons warrants	26	26	17
Number of premises warrants	1	4	1
Number of warrants which authorised entry onto private premises	19	11	24
Average duration of warrants including renewals in days	21	18	19
Number of persons prosecuted	44	26	35
Number of persons convicted	1	1	6
Number of persons still under prosecution	43	25	29
Number of prosecutions instituted against Police (including former members) for offences against Section 23	Nil	Nil	Nil

Section 312F (Renewal of warrants)	2007/08	2006/07	2005/06
Number of applications made	Nil	1	1
Number of applications granted	Nil	1	1
Number of applications refused	Nil	Nil	Nil
Number of persons warrants	Nil	1	1
Number of premises warrants	Nil	Nil	Nil

Section 312G (Emergency Permits)	2007/08	2006/07	2005/06
Number of applications made	3	1	1
Number of applications granted	3	1	1
Number of applications refused	Nil	Nil	Nil
Number of interceptions recorded	284	Nil	1

Section 216B(3) (Emergency Permits)	2007/08	2006/07	2005/06
Number of applications made	Nil	NII	NII
Number of applications granted	Nil	NII	NII
Number of applications refused	Nil	NII	NII
Number of interceptions recorded	Nil	NII	NII

5.2 Call data warrants

In accordance with the provisions of Section 10R of the Telecommunications (Residual Provisions) Act 1987, the following information is provided:

Section 10A (Call Data Warrants)	2007/08	2006/07	2005/06
Number of applications made	172	234	230
Number of applications granted	172	234	230
Number of applications refused	Nil	Nil	Nil
Average duration – in days	22	30	31

Section 10K	2007/08	2006/07	2005/06
Number of applications made	Nil	Nil	5
Number of applications granted	Nil	Nil	1
Number of applications refused	Nil	Nil	Nil
Average duration - in days	Nil	Nil	30

5.3 Road blocks

There were two road blocks implemented using the provisions of Section 317B of the Crimes Act 1961.

5.4 Tracking warrants

In accordance with the provisions of Section 200J of the Summary Proceedings Amendment Act 2003 the following information is provided:

Figure 3: Tracking Warrants, 2005/06-2007/08

Tracking Warrants	2007/08	2006/07	2005/06
Number of warrants issued	29	32	31
Number of warrant renewals	4	14	10
Average duration – in days	22	49	45
Tracking device used without warrant	Nil	Nil	Nil
Warrants issued under Section 200I	Nil	Nil	Nil
Number of devices authorised to remain	Nil	Nil	Nil

5.5 Bodily samples

In accordance with the provisions of Section 76 of the Criminal Investigations (Bodily Samples) Act 1995 the following information is provided:

Figure 4: Bodily Samples 2007/08

Bodily Samples	2007/08
(a) The number of occasions on which a blood sample has been taken with the consent of a person given in response to a databank request	11
(ab) The number of occasions on which a buccal sample has been taken with the consent of a person given in response to a databank request	9,501
(b) The number of applications for compulsion orders by type –	
suspect compulsion orders	124
juvenile compulsion orders	41
(c) The number of applications referred to in paragraph (b) that were –	
suspects – granted	124
suspects – refused	NIL
juvenile compulsion orders – granted	41
juvenile compulsion orders – refused	NIL
(ca) The number of occasions on which a blood sample has been taken pursuant to a compulsion order	4
(cb) The number of occasions on which a buccal sample has been taken pursuant to a compulsion order	61
(cc) The number of occasions on which a blood sample has been taken pursuant to a databank compulsion notice	5
(cd) The number of occasions on which a buccal sample has been taken pursuant to a databank compulsion notice	2,262
(ce) The number-	
(i) databank compulsion notice hearings requested	12
(ii) DNA Profile Databank (Part 3) orders made; and	5
(iii) the number of orders made that the databank compulsion notice is of no effect in respect to those hearings	1

Bodily Samples		2007/08
(d)	The number-	
	(i) occasions on which a DNA profile obtained under Obtaining Bodily Samples from Suspects (Part 2) has been used as evidence against a person in trial, and	Not captured nationally
	(ii) persons referred to in subparagraph (i) in respect of whom a conviction has been entered as a result of the trial	
	(da) The number-	
	(i) occasions on which a DNA profile obtained under a DNA Profile Databank (Part 3) procedure has been used in support of an application for a suspect compulsion order under Obtaining Bodily Samples from Suspects (Part 2); and	25
	(ii) suspect compulsion orders granted in respect of those	19
(e)	The number of occasions on which any member of the police has used or caused to be used force to assist a suitably qualified person to take:	
	a fingerprick pursuant to a compulsion order	NIL
	a fingerprick pursuant to a databank compulsion notice	NIL
	a buccal sample pursuant to a compulsion order	NIL
	a buccal sample pursuant to a databank compulsion notice	1
	(ea) The number of occasions on which a buccal sample has been taken as a result of a Obtaining Bodily Samples from Suspects (Part 2A) request	0
(f)	The total number of DNA profiles stored on a DNA profile databank at the end of the period under review; and	
	number of bodily samples obtained by consent	71,113
	number of bodily samples obtained pursuant to a compulsion order	71
	number of bodily samples obtained pursuant to a databank compulsion notice	13,991
(g)	The number of occasions on which a DNA profile obtained from evidence at the scene of an offence or in connection with an offence is matched with a DNA profile obtained under Obtaining Bodily Samples from Suspects (Part 2) procedure	262
(h)	The number of occasions on which a DNA profile obtained from evidence at the scene of an offence or in connection with an offence is matched with a DNA profile on the DNA profile databank obtained under a DNA Profile Databank (Part 3) procedure	2,176