



TELECOMMUNICATIONS INTERCEPTION ACT 1979 - ANNUAL REPORT

AGENCY QUESTIONNAIRE - YEAR ENDING 30 JUNE 2004

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Agency:	Anti-Corruption Commission
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1 Applications for warrants generally - s100(1)(a)	
1.1 Total applications	22
1.2 Applications refused by Judge or AAT Member	0
1.3 Applications withdrawn by agency	4
1.4 Total warrants issued (Do not enter - system generated)	18
2 Telephone applications - s100(1)(b)	
2.1 Applications made by telephone	0
2.2 Applications refused by Judge or AAT Member	0
2.3 Applications withdrawn by agency	0
2.4 Telephone warrants issued (Do not enter - system generated)	0
3 Renewal applications - s100(1)(c)	
3.1 Applications for renewal of warrant	10
3.2 Applications refused by Judge or AAT Member	0
3.4 Applications withdrawn by agency	0
3.5 Renewals issued (Do not enter - system generated)	10
4 Entry applications under s48 - s100(1)(d)	
4.1 Applications for entry to premises	1
4.2 Applications refused by Judge or AAT Member	0
4.3 Applications withdrawn by agency	0
4.4 Entry warrants issued (Do not enter - system generated)	1
5 Conditions and restrictions - s100(1)(e)	
5.1 Warrants with conditions or restrictions	0
6 Serious offences specified in warrants - s100(1)(f)-(g)	
Class 1 offences	
6.1 Murder	0
6.2 Kidnapping	0
6.3 Narcotics offence	0
6.4 Terrorism offence	0
6.5 An offence against Division 72, 101, 102 or 103 of the Criminal Code	0
6.6 Special investigation (ACC only)	0
Class 2 offences	
6.7 Loss of life	0
6.8 Serious personal injury	0
6.9 Serious damage to property endangering the safety of a person	0
6.10 Serious arson	0
6.11 Trafficking in prescribed substances	0
6.12 Serious fraud	0
6.13 Serious loss of revenue to the Commonwealth a State or the ACT	0
6.14 Bribery or corruption of or by Commonwealth, State or Territory officer	22
6.15 Child pornography offences	0
6.16 Offences involving planning and organisation	0
6.17 Offences relating to people smuggling	0
6.18 Money laundering	0
6.19 Cybercrime offences etc.	0

7 Specified duration of original warrants - s101(1)(a)		
7.1 Original warrants		8
7.2 Total number of days original warrants specified in force		720
7.3 Average specified duration (Do not enter - system generated)		90.00
8 Actual duration of original warrants - s101(1)(b)		
8.1 Total number of days original warrants actually in force		697
8.2 Original warrants discounted		0
8.3 Average period in force (Do not enter - system generated)		87.13
9 Specified duration of renewal warrants - s101(1)(c)		
9.1 Total number of days renewal warrants specified in force		900
9.2 Renewal warrants (Do not enter - system generated)		10
9.3 Average specified duration (Do not enter - system generated)		90.00
10 Actual duration of renewal warrants - s101(1)(d)		
10.1 Total number of days renewal warrants actually in force		854
10.2 Renewal warrants discounted		0
10.3 Average period in force (Do not enter - system generated)		85.40
11 Final renewals - s101(1)(e)		
11.1 90 day final renewals ceasing to be in force		0
11.2 150 day final renewals ceasing to be in force		0
11.3 180 day final renewals ceasing to be in force		5
12 Arrests made - s102(1)(a)		
12.1 Number of arrests on the basis of lawfully obtained information		5.00
13 Prosecutions and convictions - s102(1)(b)-(c)		Prosecutions Convictions
Class 1 offences		
13.1 Murder		
13.2 Kidnapping		
13.3 Narcotics offence		
13.4 Terrorism offence		
13.5 An offence against Division 72, 101, 102 or 103 of the Criminal Code		
13.6 Special investigation (ACC only)		
Class 2 offences		
13.7 Loss of life		
13.8 Serious personal injury		
13.9 Serious damage to property endangering the safety of a person		
13.10 Serious arson		
13.11 Trafficking in prescribed substances	1	1
13.12 Serious fraud		
13.13 Serious loss of revenue to the Commonwealth a State or the ACT		
13.14 Bribery or corruption of or by Commonwealth, State or Territory officer	3	1
13.15 Child pornography offences		
13.16 Offences involving planning and organisation	2	1
13.17 Offences relating to people smuggling		
13.18 Money laundering		
13.19 Cybercrime offences etc.		
Other prescribed offences		
13.20 7(1) or 63 Telecommunications (Interception) Act 1979		
13.21 Part VIIB Crimes Act 1914 (telecommunications offences)		
13.22 Offence punishable by life imprisonment or offence punishable by a maximum of 3 years imprisonment or more	2	
14 Effectiveness of warrants - s102(3)-(4)		
14.1 Eligible warrants		6
14.2 Total warrants (note: warrants in force during year, not issued during year)		20
14.3 Percentage (Do not enter - system generated)		0.3
15 Interceptions without warrant - s102A		
Officer suspicion relating to:		
15.1 Act that has or may result in loss of life or serious personal injury		0
15.2 Threat to kill or seriously injure		0
15.3 Threat to cause serious damage to property		0
15.4 Threat to take own life, endanger life, or create serious threat to health or safety		0

Consent where person likely to receive communication from person who has:

15.5	Done act that has or may result in loss of life or serious personal injury	0
15.6	Threatened to kill or seriously injure another	0
15.7	Threatened to cause serious damage to property	0
15.8	Threatened to take own life, endanger own life or create serious threat to own safety	0

16 Financial information - s103(a)-(aa)

16.1	Total expenditure in connection with Part VI warrants (whole dollars only)	\$422,359
16.2	Average expenditure per warrant (Do not enter - system generated)	\$23,464

17 Availability of Judges and AAT members - s103(ab)

17.1	Warrants issued by Family Court Judges	18
17.2	Warrants issued by Federal Court Judges	0
17.3	Warrants issued by nominated AAT members	0
17.4	Warrants issued by Federal Magistrates	0

18 Interceptions on behalf of other agencies

18.1	Interceptions carried out on behalf of AFP	0
18.2	Interceptions carried out on behalf of ACC	0
18.3	Interceptions carried out on behalf of NSW Police	0
18.4	Interceptions carried out on behalf of NSW Crime Commission	0
18.5	Interceptions carried out on behalf of ICAC	0
18.6	Interceptions carried out on behalf of SA Police	0
18.7	Interceptions carried out on behalf of Vic Police	0
18.8	Interceptions carried out on behalf of WA Police	5
18.9	Interceptions carried out on behalf of PIC	0
18.10	Interceptions carried out on behalf of WA Anti-Corruption Commission	0
18.11	Interceptions carried out on behalf of WA Corruption Commission and Crime Commission	0

19 Use of resources - (no cents - whole dollars only)

19.1	Salaries	\$461,192
19.2	Administrative Support	\$6,397
19.3	Capital expenditure	\$386,768
19.4	Interception costs	\$23,702
19.5	Total (Do not enter - system generated)	\$878,059

20 Judicial decisions and alternative outcomes

Details of relevant judicial decisions relating to the TI Act or involving evidence obtained under the Act during the reporting year:

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Details of other noteworthy prosecutions involving evidence obtained under the Act:

20.2	Relevant material obtained by the ACC during joint investigations with the Western Australia Police Royal Commission has resulted in the conviction of 1 person during the reporting year and the trials of 2 other persons charged with related Class 2 offences are scheduled within the 2004/2005 reporting year.
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Details of alternative outcomes or other relevant material:

20.3	Relevant material has been communicated to the WA Police for use in a number of disciplinary investigations and criminal investigations. A significant volume of material has been communicated to the Corruption and Crime Commission (CCC) for anticipated ongoing investigations. Due to the closure of the Anti-Corruption Commission (ACC) prior to the end of the reporting year, the ACC was unable to sufficiently progress a number of investigations to completion and referral to the State Director of Public Prosecutions; these files have been passed to the CCC for further action and court brief preparation.
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