



CORRUPTION AND CRIME COMMISSION

OF WESTERN AUSTRALIA

**Surveillance Devices Act
1998**

ANNUAL REPORT

2004 - 2005

INTRODUCTION

Part 7 of the *Surveillance Devices Act 1998* requires the Commissioner of the Corruption and Crime Commission ('CCC') as soon as practicable after 30 June each, but in any event not later than 31 August in each year, to furnish to the Attorney General a report on behalf of the CCC which provides details concerning the applications for surveillance device warrants and surveillance device emergency authorisations.

The Attorney General is required to lay this report before each House of Parliament as soon as practicable.

The statistics that have been provided relate only to the period 1 July 2004 to 30 June 2005.

Annexure A contains the relevant extracts from the *Surveillance Devices Act 1998* and the *Surveillance Devices Regulations 1999* which relate to annual reports in respect of the Corruption and Crime Commission.

Section 43(1)(a) and Regulation 8: Applications for warrants

The below table is pursuant to section 43(1)(a) of the *Surveillance Devices Act 1998* and Regulation 8 of the *Surveillance Devices Regulations 1999* relates to the relevant statistics for applications for warrants.

The number of applications for warrants that were made	5
The number of warrants that were issued on applications	5
The number of applications for warrants that were withdrawn	0
The number of applications for warrants that were made by the applicant on behalf of another law enforcement officer	0
The number of applications for warrants that were made by means other than filing a written application at the court	0

Section 43(1)(a) and Regulation 8: Applications for extensions of warrants

The below table is pursuant to section 43(1)(a) of the *Surveillance Devices Act 1998* and Regulation 8 of the *Surveillance Devices Regulations 1999* relates to the relevant statistics for applications for extensions of warrants.

The number of applications for extensions of warrants that were made

2

The number of warrants that were issued on applications for extensions

2

The number of applications for extension of warrants that were withdrawn

0

The number of applications for extensions of warrants that were made by the applicant on behalf of another law enforcement officer

0

The number of applications for extensions of warrants that were made by means other than filing a written application at the court

0

Section 43(1)(b) and Regulation 8: Applications for emergency authorisations

The below table is pursuant to section 43(1)(b) of the *Surveillance Devices Act 1998* and Regulation 8 of the *Surveillance Devices Regulations 1999* relates to the relevant statistics for emergency authorisations, the authorisations issued and the number of such applications for emergency authorisations that were withdrawn.

The number of applications for emergency authorisations that were made

0

The number of authorisations issued in respect of such applications

0

The number of applications for emergency authorisations that were withdrawn

0

Section 43(1)(c) and Regulation 8

Pursuant to section 43(1)(c) of the Act, the Corruption and Crime Commission has not received any directions from the Attorney General for information about any other matters relating to the use of surveillance devices and the administration of the Act.

Kevin Hammond
COMMISSIONER

September 2005

ANNEXURE A

Surveillance Devices Act 1998

43. Annual Reports

- (1) The Corruption and Crime Commission must, as soon as practicable after 30 June, but in any event not later than 31 August, in each year, furnish to the Attorney General a report on behalf of the Corruption and Crime Commission in respect of the year ending on that 30 June, containing information relating to -
 - (a) applications for warrants and extensions of warrants, including the number of such applications and the orders made in respect of such applications;
 - (b) applications for emergency authorisations, including the number of such applications and the authorisations issued in respect of such applications; and
 - (c) such other matters relating to the use of surveillance devices and the administration of this Act as the Attorney General may direct.

...

- (4) The Minister or the Attorney General, as the case requires, shall cause a report furnished by the Commissioner of Police, the Corruption and Crime Commission, the chairman of the Anti-Corruption Commission or the Chairperson of the National Crime Authority under this section to be laid before each House of parliament as soon as practicable.

Surveillance Devices Regulations 1999

8(1)

The information relating to applications for warrants and extensions of warrants required by section 43 of the Act to be contained in an annual report is to include the number of such applications that were-

- (a) withdrawn;
 - (b) made by the applicant on behalf of another law enforcement officer; and
 - (c) made by means other than filing a written application at the court.
- (2) The information relating to applications for emergency authorisations required by section 43 of the Act to be contained in an annual report is to include the number of such applications that were withdrawn.