



**Australian Government**

**Attorney-General's Department**

**TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) ACT 1979 - ANNUAL REPORT**

**AGENCY QUESTIONNAIRE - YEAR ENDING 30 JUNE 2008**

Note: Grey field  sum is an automatically generated figure.

Agency **Corruption and Crime Commission of Western Australia**

<b>1 Applications for warrants generally - s100(1)(a)</b>		
1.1	Total applications	102
1.2	Applications refused by judge or AAT member	0
1.3	Applications withdrawn by agency	0
1.4	Total warrants issued	102
<b>2 Telephone applications - s100(1)(b)</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2.3	Applications withdrawn by agency	0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	0
<b>3 Renewal applications - s100(1)(c)</b>		
3.1	Applications for renewal of warrant	50
3.2	Applications refused by judge or AAT member	0
3.3	Applications withdrawn by agency	0
3.4	Renewals issued	50
<b>4 Entry applications under s48 - s100(1)(d)</b>		
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4.3	Applications withdrawn by agency	0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	1
<b>5 Conditions and restrictions - s100(1)(e)</b>		
5.1	Warrants with conditions or restrictions	0
<b>6 Named person warrants - s(100)(ea), (eb), (ec)</b>		
<b>6.1 Applications for named person warrants</b>		
6.1.1	Total applications	3
6.1.2	Applications refused by a judge or AAT member	0
6.1.3	Applications withdrawn by agency	0
6.1.4	Total warrants issued	3
<b>6.2 The number of named person warrants applied for by telephone</b>		
6.2.1	Applications made by telephone	0
6.2.2	Applications refused by judge or AAT member	0
6.2.3	Applications withdrawn by agency	0
6.2.4	Telephone warrants issued	0
<b>6.3 Renewal applications for named person warrants</b>		
6.3.1	Applications for renewal of warrant	0
6.3.2	Applications refused by judge or AAT member	0
6.3.3	Applications withdrawn by agency	0
6.3.4	Renewals issued	0
<b>6.4 Entry Applications for named person warrants</b>		
6.4.1	Applications made	0
6.4.2	Applications refused by judge or AAT member	0
6.4.3	Applications withdrawn by agency	0
6.4.4	Entry warrants issued	0
<b>6.5 Conditions and restrictions</b>		
6.5.1	Named person warrants with conditions or restrictions	0
<b>6.6 Number of services - named person warrants</b>		
6.6.1	1 service Only	0
6.6.2	2 - 5 services	2
6.6.3	6 - 10 services	1
6.6.4	More than 10 services	0
6.6.5	Total number of services intercepted under named person warrants	18

WESTERN AUSTRALIA  
Laid on the Table of the  
Legislative Assembly

11 NOV 2008

This paper should not be  
removed from the Chamber

**7 B-Party warrants - 100(ed)**

<b>7.1</b>	<b>Applications for B-Party warrants</b>	
7.1.1	Total applications	3
7.1.2	Applications refused by judge or AAT member	0
7.1.3	Applications withdrawn by agency	0
7.1.4	Total warrants issued	3
<b>7.2</b>	<b>Telephone applications for B-Party warrants</b>	
7.2.1	Applications made by telephone	0
7.2.2	Applications refused by judge or AAT member	0
7.2.3	Applications withdrawn by agency	0
7.2.4	Telephone warrants issued	0
<b>7.3</b>	<b>Renewal applications for B-Party warrants</b>	
7.3.1	Applications for renewal of warrant	0
7.3.2	Applications refused by judge or AAT member	0
7.3.3	Applications withdrawn by agency	0
7.3.4	Renewal warrants issued	0
<b>7.4</b>	<b>B-Party warrants authorising entry on premises</b>	
7.4.1	Applications for B-Party warrants authorising entry on premises	0
7.4.2	Applications refused by judge or AAT member	0
7.4.3	Applications withdrawn by agency	0
7.4.4	B-Party warrants authorising entry on premises issued	0
<b>7.5</b>	<b>Conditions and restrictions</b>	
7.5.1	The number of applications for B-Party warrants specifying conditions or restrictions	0

**8 Serious offences specified in warrants - 100(1)(f) and (g)**

8.1	Murder	0
8.2	Kidnapping	0
8.3	An offence against Division 307 of the Criminal Code	0
8.4	Terrorism offence	0
8.5	An offence against Division 72, 101, 102 or 103 of the Criminal Code	0
8.6	A special investigation of the Australian Crime Commission	0
8.7	Loss of life	0
8.8	Serious personal injury	0
8.9	Serious damage to property endangering the safety of a person	0
8.1	Serious arson	0
8.11	Trafficking in prescribed substances	0
8.12	Serious fraud	0
8.13	Serious loss of revenue to the Commonwealth, a State or the ACT	0
8.14	Bribery or corruption of or by a Commonwealth, State or Territory officer	102
8.15	Telecommunications offences	0
8.16	Offences involving planning and organisation	0
8.17	Offences relating to people smuggling	0
8.18	Child pornography offences	0
8.19	Money laundering	0
8.2	Cybercrime offences	3
8.21	Serious drug offences against Part 9.1 of the Criminal Code	0
8.22	Conspiring to commit or aiding or abetting the commission of a serious offence	0
8.23	Assisting a person to escape punishment for or to dispose of the proceeds of a serious offence	0
8.24	Offences against section 131.1, 135.1, 142.1, 142.2, 148.2 or 268.112 of the Criminal Code	0
8.25	Offences against sections 35, 36, 36A, 37, 39, 41, 42, 43, 46 or 47 of the Crimes Act 1914	0
	Serious drug offences	0
	Terrorism offences	0

**9 Duration of warrants**

9.1	<b>Specified duration of warrants - s101(1)(a)</b>		
9.1.1	Warrants		52
9.1.2	Total number of days warrants specified in force		4000
9.1.3		Average specified duration	76.92
9.2	<b>Actual duration of warrants - s101(1)(b)</b>		
9.2.1	Total number of days warrants actually in force		2406
9.2.2	Warrants discounted		3
9.2.3		Average period in force	49.10

**10 Duration of warrants - renewal**

10.1	<b>Specified duration of renewal warrants - s101(1)(c)</b>		
10.1.1	The number of renewal warrants issued during the reporting year		50
10.1.2	Total number of days renewal warrants specified in force		4500
10.1.3		Average specified duration	90.00
10.2	<b>Actual duration of renewal warrants - 101(1)(d)</b>		
10.2.1	Total number of days renewal warrants actually in force		3561
10.2.2	Renewal warrants discounted		0
10.2.3		Average period in force	71.22

**11 Duration of B-Party warrants - 101(1)(da)**

11.1	<b>Specified duration of B-Party warrants</b>		
11.1.1	B-Party warrants		3
11.1.2	Total number of days B-Party warrants specified in force		135
11.1.3		Average specified duration	45.00
11.2	<b>Actual duration of B-Party warrants</b>		
11.2.1	Total number of days B-Party warrants actually in force		45
11.2.2	Warrants discounted		0
11.2.3		Average period in force	0.33

**12 Duration of B-Party warrants - renewal**

12.1	<b>Specified duration of renewal B-Party warrants</b>		
12.1.1	The number of renewal B-Party warrants issued during the reporting year		0
12.1.2	Total number of days renewal B-Party warrants specified in force		0
12.1.3		Average specified duration	#DIV/0!
12.2	<b>Actual duration of renewal B-Party warrants</b>		
12.2.1	Total number of days renewal B-Party warrants actually in force		0
12.2.2	Renewal warrants discounted		0
12.2.3		Average period in force	#DIV/0!

**13 Final renewals - 101(1)(e)**

13.1	Number of 90 day final renewals ceasing to be in force		5
13.2	Number of 150 day final renewals ceasing to be in force		1
13.3	Number of 180 day final renewals ceasing to be in force		10

**14 Arrests made - s102(1)(a)**

14.1	Number of arrests on the basis of lawfully obtained information		3
------	---	--	---

**15 Prosecutions and convictions - s102(1)(b)-(c)**

15.1 Serious offences		Prosecutions	Convictions
15.1.1	Murder	0	0
15.1.2	Kidnapping	0	0
15.1.3	An offence against Division 307 of the Criminal Code	0	0
15.1.4	Terrorism offence	0	0
15.1.5	An offence against Division 72, 101, 102 or 103 of the Criminal Code	0	0
15.1.6	A special investigation of the Australian Crime Commission	0	0
15.1.7	Loss of life	0	0
15.1.8	Serious personal injury	0	0
15.1.9	Serious damage to property endangering the safety of a person	0	0
15.1.10	Serious arson	0	0
15.1.11	Trafficking in prescribed substances	0	0
15.1.12	Serious fraud	0	0
15.1.13	Serious loss of revenue to the Commonwealth, a State or the ACT	0	0
15.1.14	Bribery or corruption of or by a Commonwealth, State or Territory officer	3	3
15.1.15	Telecommunications offences	0	0
15.1.16	Offences involving planning and organisation	0	0
15.1.17	Offences relating to people smuggling	0	0
15.1.18	Child pornography offences	0	0
15.1.19	Money laundering	0	0
15.1.20	Cybercrime offences	0	0
15.1.21	Serious drug offences against Part 9.1 of the Criminal Code	0	0
15.1.22	Conspiring to commit or aiding or abetting the commission of a serious offence	0	0
15.1.23	Assisting a person to escape punishment for or to dispose of the proceeds of a serious offence	0	0
15.1.24	Offences against sections 131.1, 135.1, 142.1, 142.2, 148.2 or 268.112 of the Criminal Code	0	0
15.1.25	Offences against sections 35, 36, 36A, 37, 39, 41, 42, 43, 46 or 47 of the Crimes Act 1914	0	0
	Serious drug offences	0	0
	Terrorism offence	0	0
15.2 Other prescribed offences			
15.2.1	An offence against subsection 7(1) or section 63	0	0
15.2.2	An offence against subsection 108(1) or section 133	0	0
15.2.3	An offence against a provision of Part 10.6 of the Criminal Code	0	0
15.2.4	Any other offence punishable by imprisonment for life or for a period, or maximum period of at least 3 years	2	2
15.2.5	An ancillary offence to one of the above offences	0	0

**16 Effectiveness of warrants - s102(3)-(4)**

16.1	Eligible warrants issued	97
16.2	Total warrants (note: warrants in force, not issued during year)	134
16.3	Percentage	0.72

**17 Interceptions without warrant - s102A**

<b>17.1</b>	<b>Officer suspicion relating to:</b>	
17.1.1	Act that has or may result in loss of life or serious personal injury	0
17.1.2	Threat to kill or seriously injure	0
17.1.3	Threat to cause serious damage to property	0
17.1.4	Threat to own life, endanger life, or create serious threat to health/safety	0
<b>17.2</b>	<b>Consent where person likely to receive communication from person who has:</b>	
17.2.1	Done act that has or may result in loss of life or serious personal injury	0
17.2.2	Threatened to kill or seriously injure another	0
17.2.3	Threatened to cause serious damage to property	0
17.2.4	Threatened to take, endanger, or create serious threat to own life/safety	0

**18 Financial information - s103(a)-(aa)**

<b>18.1</b>	<b>Total expenditure regarding Part 2-5 warrants (whole dollars only)</b>	<b>\$ 1,638,018.00</b>
<b>18.2</b>	<b>Average expenditure per warrant</b>	<b>\$ 16,059.00</b>

**19 Availability of judges and AAT members - s103(ab)**

<b>19.1</b>	<b>Warrants issued by Family Court Judges</b>	<b>1</b>
<b>19.2</b>	<b>Warrants issued by Federal Court Judges</b>	<b>0</b>
<b>19.3</b>	<b>Warrants issued by Nominated AAT members</b>	<b>101</b>
<b>19.4</b>	<b>Warrants issued by Federal Magistrates</b>	<b>0</b>

Comments in relation to accessibility of judges and AAT members (if any)

Nil

**20 Interceptions on behalf of other agencies - s103(ac)**

<b>20.1</b>	<b>Interceptions carried out on behalf of AFP</b>	<b>0</b>
<b>20.2</b>	<b>Interceptions carried out on behalf of ACLEI</b>	<b>0</b>
<b>20.3</b>	<b>Interceptions carried out on behalf of ACC</b>	<b>0</b>
<b>20.4</b>	<b>Interceptions carried out on behalf of NSW Police</b>	<b>0</b>
<b>20.5</b>	<b>Interceptions carried out on behalf of NSW Crime Commission</b>	<b>0</b>
<b>20.6</b>	<b>Interceptions carried out on behalf of PIC</b>	<b>0</b>
<b>20.7</b>	<b>Interceptions carried out on behalf of NT Police</b>	<b>0</b>
<b>20.8</b>	<b>Interceptions carried out on behalf of ICAC</b>	<b>0</b>
<b>20.9</b>	<b>Interceptions carried out on behalf of SA Police</b>	<b>0</b>
<b>20.10</b>	<b>Interceptions carried out on behalf of Vic Police</b>	<b>0</b>
<b>20.11</b>	<b>Interceptions carried out on behalf of OPI</b>	<b>0</b>
<b>20.12</b>	<b>Interceptions carried out on behalf of WA Police</b>	<b>0</b>
<b>20.13</b>	<b>Interceptions carried out on behalf of WA Corruption Commission and Crime Commission</b>	<b>N/A</b>
<b>20.14</b>	<b>Interceptions carried out on behalf of Tasmania Police</b>	<b>0</b>

**21 Use of resources - (no cents - whole dollars only)**

<b>21.1</b>	<b>Salaries</b>	<b>1,295,329</b>
<b>21.2</b>	<b>Administrative Support</b>	<b>0</b>
<b>21.3</b>	<b>Capital expenditure</b>	<b>105,251</b>
<b>21.4</b>	<b>Interception costs</b>	<b>237,438</b>
<b>21.5</b>	<b>Total</b>	<b>1,638,018</b>

**22 Judicial decisions and alternative outcomes**

<b>22.1</b>	Details of relevant judicial decisions relating to the Act or involving evidence obtained under the Act during the reporting year:
	Nil
<b>22.2</b>	Details of other noteworthy prosecutions involving evidence obtained under the Act:
	LIJ used to commence prosecutions for 10 offences involving bribery of or corruption by an officer of the State, and 25 offences that are "prescribed offences, punishable by a maximum of 3 years". For these offences 8 persons were summonsed and 2 arrested.

22.3

Details of alternative outcomes or other relevant material:

Lawfully Intercepted Information (LII) used in one (1) public and nine (9) private examinations.

LII used in reports to the Western Australian Parliament that supported the opinion that misconduct had taken place. LII also disseminated to other law enforcement agencies in relation to murder, drug, stealing and other offences.

Investigations are continuing into the activities of lobbyists and senior public officers resulting from warrants obtained during 05/06 and 06/07 periods.

Prosecutions in respect of 27 offences are continuing utilising LII obtained in the 06/07 period.

**23 Stored Communications**

<b>23.1</b>	<b>Applications for stored communications warrants generally- s162(1)(a)</b>	
23.1.1	Applications for stored communications warrants	0
23.1.2	Applications refused by issuing authority	0
23.1.3	Applications withdrawn by agency	0
23.1.4	Total stored communications warrants issued	0
<b>23.2</b>	<b>Telephone applications for stored communications warrants- s162(1)(b)</b>	
Applications for stored communications warrants made by		
23.2.1	telephone	0
23.2.2	Telephone applications refused by issuing authority	0
23.2.3	Telephone applications withdrawn	0
23.2.4	Total telephone applications (do not enter - system generated)	0
<b>23.3</b>	<b>Renewal applications for stored communications warrants- 162(2)(c)</b>	
23.3.1	Applications for renewal of stored communications warrants	0
23.3.2	Applications refused by issuing authority	0
23.3.3	Applications withdrawn by agency	0
23.3.4	Renewals of stored communications warrants issued (do not enter - system generated)	0
<b>23.4</b>	<b>Stored communication warrants with conditions and/or restrictions - s162(2)(d)</b>	
23.4.1	Stored communication warrants with conditions and/or restrictions	0
<b>23.5</b>	<b>Effectiveness of warrants - s163(a)-(b)</b>	
23.5.1	Arrests made based on information or information which included lawfully accessed information	0
23.5.2	Proceedings ending this year where lawfully accessed information was given in evidence	0
23.5.3	Convictions recorded based on information obtained either wholly or partially collected by stored communications	0

**24 Access to Telecommunications Data -s186**

<b>24.1</b>	<b>Authorisations for historical data -s178</b>	
24.1.1	Total number of authorisations made for access to existing information or documents in enforcement of the criminal law	265
<b>24.2</b>	<b>Authorisations for historical data -s179</b>	
24.2.1	Total number of authorisations made for access to existing information or documents in enforcement of a law imposing a pecuniary penalty or protection of the public revenue	0
<b>24.3</b>	<b>Specified duration of prospective authorisations - s180</b>	
24.3.1	Total number of authorisations made	0
24.3.2	Total number of days authorisations specified in force	0
24.3.3	Average specified duration (Do not enter - system generated)	#DIV/0!
<b>24.4</b>	<b>Actual duration of prospective authorisations - s180</b>	
24.4.1	Total number of days authorisations actually in force	0
24.4.2	Authorisations discounted	0
24.4.3	Average period in force (Do not enter - system generated)	#DIV/0!