



ACT Policing

Special Purposes Annual Report 2022–23



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Information about ACT Policing can also be found at police.act.gov.au

For general information about the Australian Federal Police (AFP), of which ACT Policing is the community policing arm, telephone AFP National Headquarters on (02) 5126 0000.

Freedom of information

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ACT Policing

25 September 2023

Attorney-General
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2600

Minister for Police and Emergency Services
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2600

Dear Attorney-General and Minister

I am pleased to submit ACT Policing's Special Purposes Annual Report for the financial year 1 July 2022 to 30 June 2023.

Included in the Special Purposes Annual Report are reports in accordance with:

- section 28 of the *Crimes (Controlled Operations) Act 2008*
- section 38 of the *Crimes (Surveillance Devices) Act 2010*
- section 258 of the *Confiscation of Criminal Assets Act 2003*
- section 38 of the *Crimes (Assumed Identities) Act 2009*
- section 21 of the *Crimes (Protection of Witness Identity) Act 2011*.

I hereby certify that the attached Annual Report is an honest and accurate account of matters required under the above-mentioned acts, and that all controlled operations and all operations regarding surveillance devices undertaken in the ACT for the period 1 July 2022 to 30 June 2023 have been included.

I understand a copy of this report will be laid before the ACT Legislative Assembly as required by the above-mentioned acts.

Yours sincerely

Deputy Commissioner Neil Gaughan APM
Chief Police Officer for the ACT

Chief Police Officer for the ACT
/ GPO Box 401 Canberra ACT 2601

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1 Controlled Operations

Overview of ACT Policing Controlled Operations records 2022–23

Number of standard authorities granted	1
Number of applications for standard authorities refused	0
Number of amendments to standard authorities granted	0
Number of applications for amendments to standard authorities refused	0
Number of urgent authorities granted	0
Number of applications for urgent authorities refused	0
Number of urgent amendments to authorities granted	0
Number of applications for urgent amendments to authorities refused	0
Number of controlled operations conducted in the ACT	0
Number of controlled operations conducted in the ACT and one or more other jurisdictions	1
Number of controlled operations conducted in one or more participating jurisdictions	0





Authorities issued by authorising officers of ACT Policing 2022–23

Standard Controlled Operation Number: 2022–23/01

<p>Application authorised or refused</p>	<p>On 14 July 2022, Acting Assistant Commissioner Joanne CAMERON, Deputy Chief Police Officer of the ACT, an authorised officer within the meaning of the <i>Crimes (Controlled Operations) Act 2008</i> (ACT), issued a certificate authorising a Controlled Operation to be undertaken.</p>
<p>Nature of the criminal activities or corrupt conduct against which the authorised operation was directed</p>	<p>Unauthorised possession or use of firearms other than prohibited firearms, pursuant to section 43(1)(a)(ii) of the <i>Firearms Act 1996</i> (ACT), punishable by imprisonment for 7 years.</p> <p>Unauthorised possession or use of prohibited firearms, pursuant to section 42(1)(a)(ii) of the <i>Firearms Act 1996</i> (ACT), punishable by imprisonment for 14 years.</p>
<p>Amendment of controlled operation authority</p>	<p>Nil</p>
<p>Revocation or expiry date of controlled operation authority</p>	<p>The Controlled Operation expired on 13 August 2022.</p>

Period the authority was in force	1 month	
Nature of controlled conduct engaged in for the purposes of the authorised operations	Excluded from publication pursuant to section 28(5) of the <i>Crimes (Controlled Operations) Act 2008 (ACT)</i> .	
Involvement of illicit goods	Type (weight or quantity)	Nil
	Route through which illicit goods passed in the course of the operation	N/A
Involvement of other jurisdictions	Nil	
Damage or injuries occurred	Nil	
Outcome	No evidential material was obtained as a result of the Controlled Operation.	
Arrests/Prosecutions	Nil	

Authorities issued by authorising officers of the ACT in 2021–22, for which operations concluded in the 2022–23 reporting period

Nil



2 Surveillance Devices

Overview of ACT Policing surveillance device records 2022–23

Number of surveillance device applications for Data Surveillance Devices	4
Number of surveillance device warrants issued for Data Surveillance Devices	4
Number of surveillance device emergency authorisation applications for Data Surveillance Devices	0
Number of surveillance device emergency authorisations issued for Data Surveillance Devices	0
Number of surveillance device applications for Listening Devices	4
Number of surveillance device warrants issued for Listening Devices	4
Number of surveillance device emergency authorisation applications for Listening Devices	0
Number of surveillance device emergency authorisations issued for Listening Devices	0
Number of surveillance device applications for Optical Surveillance Devices	4
Number of surveillance device warrants issued for Optical Surveillance Devices	4
Number of surveillance device emergency authorisation applications for Optical Surveillance Devices	0
Number of surveillance device emergency authorisations issued for Optical Surveillance Devices	0

Number of surveillance device applications for Tracking Devices	3
Number of surveillance device warrants issued for Tracking Devices	3
Number of surveillance device emergency authorisation applications for Tracking Devices	0
Number of surveillance device emergency authorisations issued for Tracking Devices	0
Number of surveillance device applications for Retrieval Warrants	0
Number of surveillance device Retrieval Warrants issued	0
Total number of surveillance device remote applications	0
Total number of surveillance device applications refused	0
Total number of emergency authorisation applications refused	0
Total number of surveillance device extension applications ¹	1
Total number of surveillance device extensions granted	1
Total number of surveillance device extension applications refused	0
Total number of arrests on the basis of surveillance device information	0
Total number of prosecutions commenced using surveillance device information ²	0

1 Investigations were ongoing and the requirement for the device/s remained ongoing.

2 This figure does not include guilty verdicts delivered during this reporting period for prosecutions commenced in previous reporting periods. Additionally, prosecutions commenced during this reporting period may still be before court.

3 Confiscation of Criminal Assets

Overview of examination orders and examination notices 2022–23

Number of applications for examination orders	2
Number of people given examination notices	21
Number of investigations to which the notices related	1
Number of examinations conducted	17
Number of complaints made to the Australian Federal Police or Commonwealth Ombudsman in relation to examination notices	0
Number of complaints in relation to examination notices resolved	0
Number of legal proceedings (excluding criminal charges) begun in relation to examination notices	0
Number of legal proceedings (excluding criminal charges) in relation to examination notices finalised	0
Number of confiscation proceedings begun during the year in relation to matters for which an examination has been given to a person	0
Estimated value of property restrained post examination during the year in relation to matters for which an examination notice had been given to a person	0
Number of charges laid relating to examination notice offences during the year	0
Number of arrests made during the year in relation to matters for which an examination notice has been given to a person	0



Examination orders and examination notices 2022–23

Standard Examination Order Number: ACTEO/01/22–23

Date of examination order	7 July 2022
Application authorised or refused	Authorised
Authorising Officer	Justice David MOSSOP
Number of examination notices given	21
Number of examinations conducted	12
Number and kind of confiscation proceedings begun post examination	0
Estimated value of property restrained or confiscated post examination	Nil restrained
Charges laid	0
Arrests made	0
Outcome	Investigation remains ongoing

Standard Examination Order Number: ACTE0/02/22–23

Date of examination order	31 March 2023
Application authorised or refused	Authorised
Authorising Officer	Justice David MOSSOP
Number of examination notices given	9
Number of examinations conducted	5
Number and kind of confiscation proceedings begun post examination	0
Estimated value of property restrained or confiscated post examination	Nil restrained
Charges laid	0
Arrests made	0
Outcome	Investigation remains ongoing

Examination notices issued in 2022–23, which arose from examination orders granted in 2021–22

Nil



4 Assumed Identities

Overview of assumed identity authorisations 2022–23

Number of authorities granted	0 ³
Description of activities undertaken by authorised people	N/A
Number of applications for authorities refused	0

No fraud or other unlawful activity was identified by an audit under section 40 of the *Crimes (Assumed Identities) Act 2009* during the financial year 2022–23.



³ This does not include any authorisations that may have been granted under corresponding laws, including Commonwealth legislation.



5 Protection of Witness Identity

Overview of assumed witness identity protection certificates 2022–23

Number of witness identity protection certificates	0 ⁴
Reasons the chief officer was satisfied under section 11(1) of the <i>Crimes (Protection of Witness Identity) Act 2011</i>	N/A
Was leave given or an order made in a proceeding under section 18 of the <i>Crimes (Protection of Witness Identity) Act 2011</i>	No
Was a witness identity protection certificate cancelled under section 15 of the <i>Crimes (Protection of Witness Identity) Act 2011</i>	No
Was a person allowed to give information under section 19 of the <i>Crimes (Protection of Witness Identity) Act 2011</i>	No

4 This does not include any witness identity protection certifications that may have been granted under corresponding laws, including Commonwealth legislation.



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