



**AFP**  
AUSTRALIAN FEDERAL POLICE

ACT POLICING  
**SPECIAL PURPOSES**

**ANNUAL  
REPORT  
2021-22**



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BELCO



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AUSTRALIAN FEDERAL POLICE

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7 September 2022

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 2021 to 30 June 2022.

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 Special Purposes 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 2021 to 30 June 2022 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

200g - \$7000  
5g  
10g

Send \$ to Tony once received.  
10g each.

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# 1 Controlled Operations



## Controlled Operations

1

Overview of ACT Policing Controlled Operations records 2021-22

Authorities issued by authorising officers of ACT Policing 2021-22

Authorities issued by authorising officers of ACT Policing, 2020-21, for which operations concluded in the 2021-22 reporting period

## Overview of ACT Policing Controlled Operations records 2021–22

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





## Authorities issued by authorising officers of ACT Policing 2021–22

### Standard Controlled Operation Number: 2021–22/01

<b>Application authorised or refused</b>	On 6 May 2022, Assistant Commissioner Peter Crozier, 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.
<b>Nature of the criminal activities or corrupt conduct against which the authorised operation was directed</b>	<p>Acts of indecency with young people, contrary to section 61(2) of the <i>Crimes Act 1900</i> (ACT), punishable by imprisonment for 10 years.</p> <p>Grooming and depraving young people, contrary to section 66 of the <i>Crimes Act 1900</i> (ACT), punishable by imprisonment for 7 years.</p> <p>Supplying controlled drug to child, namely cannabis, contrary to section 625(4)(a) of the <i>Criminal Code 2002</i> (ACT), punishable by imprisonment for 5 years, 500 penalty units or both.</p>
<b>Amendment of controlled operation authority</b>	Nil
<b>Revocation or expiry date of controlled operation authority</b>	The Controlled Operation was cancelled on 26 May 2022.
<b>Period the authority was in force</b>	21 days*
<b>Nature of controlled conduct engaged in for the purposes of the authorised operations</b>	Excluded from publication pursuant to section 28(5) of the <i>Crimes (Controlled Operations) Act 2008</i> (ACT).

<b>Involvement of illicit goods</b>	<b>Type (weight or quantity)</b>	Nil
	<b>Route through which illicit goods passed in the course of the operation</b>	N/A
<b>Involvement of other jurisdictions</b>	Nil	
<b>Damage or injuries occurred</b>	Nil	
<b>Outcome</b>	No evidential material was obtained as a result of the operation.	
<b>Arrests/Prosecutions</b>	Nil	

\*Controlled Operation cancelled therefore the *Period of authority* was in force is calculated in days.

## Authorities issued by authorising officers of ACT Policing, 2020–21, for which operations concluded in the 2021–22 reporting period

### Standard Controlled Operations Number: 2020–21/08

<b>Application authorised or refused</b>	On 21 April 2021, Acting Commander Corey Heldon, Acting Deputy Chief Police Officer Response 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.
<b>Nature of the criminal activities or corrupt conduct against which the authorised operation was directed</b>	<p>Trafficking in a controlled drug other than cannabis, contrary to section 603(7) of the <i>Criminal Code 2002</i> (ACT), punishable by imprisonment for 10 years, 1000 penalty units or both.</p> <p>Supplying declared substances, contrary to section 26(1) of the <i>Medicines, Poisons and Therapeutic Goods Act 2008</i> (ACT), punishable by imprisonment for 5 years, 500 penalty units or both.</p>

<b>Amendment of controlled operation authority</b>	Nil	
<b>Revocation or expiry date of controlled operation authority</b>	The Controlled Operation expired on 20 July 2021.	
<b>Period the authority was in force</b>	3 months	
<b>Nature of controlled conduct engaged in for the purposes of the authorised operations</b>	The authority authorised the purchase of controlled drugs within the ACT and other jurisdictions.	
<b>Involvement of illicit goods</b>	<b>Type (weight or quantity)</b>	Three packages of synthetic cannabinoids.
	<b>Route through which illicit goods passed in the course of the operation</b>	From target via postal service to police.
<b>Involvement of other jurisdictions</b>	Nil	
<b>Damage or injuries occurred</b>	Nil	
<b>Outcome</b>	Three packages of synthetic cannabinoids were purchased.	
<b>Arrests/Prosecutions</b>	Nil	

## Standard Controlled Operations Number: 2020–21/10

<b>Application authorised or refused</b>	On 22 June 2021, Commander Michael Chew, Deputy Chief Police Officer Response 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.
<b>Nature of the criminal activities or corrupt conduct against which the authorised operation was directed</b>	Trafficking in a controlled drug other than cannabis, contrary to section 603(7) of the <i>Criminal Code 2002</i> (ACT), punishable by imprisonment for 10 years, 1000 penalty units or both.  Money laundering, contrary to section 114B of the <i>Crimes Act 1900</i> (ACT), punishable by imprisonment for 10 years, 1000 penalty units or both.
<b>Amendment of controlled operation authority</b>	Nil
<b>Revocation or expiry date of controlled operation authority</b>	The Controlled Operation was cancelled on 30 July 2021.
<b>Period the authority was in force</b>	39 days*

<b>Nature of controlled conduct engaged in for the purposes of the authorised operations</b>	The authority authorised the purchase of controlled drugs within the ACT and other jurisdictions.	
<b>Involvement of illicit Goods</b>	<b>Type (weight or quantity)</b>	Trafficable quantity of cocaine.
	<b>Route through which illicit goods passed in the course of the operation</b>	Excluded from publication pursuant to section 28(5) of the <i>Crimes (Controlled Operations) Act 2008</i> (ACT).
<b>Involvement of other jurisdictions</b>	Nil	
<b>Damage or injuries occurred</b>	Nil	
<b>Outcome</b>	A trafficable quantity of cocaine was purchased.	
<b>Arrests/Prosecutions</b>	Nil	

\*Controlled Operation cancelled therefore the *Period of authority* was in force is calculated in days.



# 2 Surveillance Devices



Surveillance Devices

2

Overview of ACT Policing surveillance device records 2021-22

## Overview of ACT Policing surveillance device records 2021–22

<b>Number of surveillance device applications for Data Surveillance Devices</b>	9
<b>Number of surveillance device warrants issued for Data Surveillance Devices</b>	9
<b>Number of surveillance device emergency authorisation applications for Data Surveillance Devices</b>	0
<b>Number of surveillance device emergency authorisations issued for Data Surveillance Devices</b>	0
<b>Number of surveillance device applications for Listening Devices</b>	10
<b>Number of surveillance device warrants issued for Listening Devices</b>	10
<b>Number of surveillance device emergency authorisation applications for Listening Devices</b>	0
<b>Number of surveillance device emergency authorisations issued for Listening Devices</b>	0
<b>Number of surveillance device applications for Optical Surveillance Devices</b>	10
<b>Number of surveillance device warrants issued for Optical Surveillance Devices</b>	10
<b>Number of surveillance device emergency authorisation applications for Optical Surveillance Devices</b>	0
<b>Number of surveillance device emergency authorisations issued for Optical Surveillance Devices</b>	0



<b>Number of surveillance device applications for Tracking Devices</b>	8
<b>Number of surveillance device warrants issued for Tracking Devices</b>	8
<b>Number of surveillance device emergency authorisation applications for Tracking Devices</b>	0
<b>Number of surveillance device emergency authorisations issued for Tracking Devices</b>	0
<b>Number of surveillance device applications for Retrieval Warrants</b>	0
<b>Number of surveillance device Retrieval Warrants issued</b>	0
<b>Total number of surveillance device remote applications</b>	0
<b>Total number of surveillance device applications refused</b>	0
<b>Total number of emergency authorisation applications refused</b>	0
<b>Total number of surveillance device extension applications</b>	0
<b>Total number of surveillance device extensions granted</b>	0
<b>Total number of surveillance device extension applications refused</b>	0
<b>Total number of arrests on the basis of surveillance device information</b>	4
<b>Total number of prosecutions<sup>1</sup> commenced using surveillance device information</b>	4

<sup>1</sup>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



### Confiscation of Criminal Assets

3

Overview of examination orders and examination notices, 2021-22

Examination orders and examination notices, 2021-22

Examination notices issued in 2021-22, which arose from examination orders granted in 2020-21

## Overview of examination orders and examination notices, 2021–22

<b>Number of applications for examination orders</b>	1
<b>Number of people given examination notices</b>	0
<b>Number of investigations to which the notices related</b>	1
<b>Number of examinations conducted</b>	2 (from orders issued in 2020–21 financial year)
<b>Number of complaints made to the Australian Federal Police or Commonwealth Ombudsman in relation to examination notices</b>	0
<b>Number of complaints in relation to examination notices resolved</b>	0
<b>Number of legal proceedings (excluding criminal charges) begun in relation to examination notices</b>	0
<b>Number of legal proceedings (excluding criminal charges) in relation to examination notices finalised</b>	0
<b>Number of confiscation proceedings begun during the year in relation to matters for which an examination has been given to a person</b>	0
<b>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</b>	0
<b>Number of charges laid relating to examination notice offences during the year</b>	0
<b>Number of arrests made during the year in relation to matters for which an examination notice has been given to a person</b>	0

## Examination orders and examination notices, 2021–22

Standard Examination Order Number: ACTEO/01/21–22

<b>Date of examination order</b>
13 August 2021
<b>Application authorised or refused</b>
Authorised
<b>Authorising Officer</b>
Associate Justice MCWILLIAM
<b>Number of examination notices given</b>
0
<b>Number of examinations conducted</b>
0
<b>Number and kind of confiscation proceedings begun post examination</b>
0
<b>Estimated value of property restrained or confiscated post examination</b>
Nil
<b>Charges laid</b>
No charges in relation to examination notice offences.
<b>Arrests made</b>
Nil
<b>Outcome</b>
Suspended

## Examination notices issued in 2021–22, which arose from examination orders granted in 2020–21

Standard Examination Order Number: ACTEO/05/20–21

<b>Date of examination order</b>
18 June 2021
<b>Application authorised or refused</b>
Authorised
<b>Authorising Officer</b>
Acting Justice CROWE
<b>Number of examination notices given</b>
2
<b>Number of examinations conducted</b>
2
<b>Number and kind of confiscation proceedings begun post examination</b>
0
<b>Estimated value of property restrained or confiscated post examination</b>
Nil
<b>Charges laid</b>
No charges in relation to examination notice offences.
<b>Arrests made</b>
Nil
<b>Outcome</b>
Director of Public Prosecutions decision to not proceed with this matter.

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# 4 Assumed Identities



Assumed Identities

4

Overview of assumed identity authorisations, 2021-22

## Overview of assumed identity authorisations, 2021–22

<b>Number of authorities granted</b>	0 <sup>2</sup>
<b>Description of activities undertaken by authorised people</b>	N/A
<b>Number of applications for authorities refused</b>	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 2021–22.

<sup>2</sup> This does not include any authorisations that may have been granted under corresponding laws, including Commonwealth legislation.

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# 5 Protection of Witness Identity



## Protection of Witness Identity

5

Overview of assumed witness identity protection certificates, 2021-22

## Overview of assumed witness identity protection certificates, 2021–22

<b>Number of witness identity protection certificates</b>	0 <sup>3</sup>
<b>Reasons the chief officer was satisfied under section 11(1) of the <i>Crimes (Protection of Witness Identity) Act 2011</i></b>	N/A
<b>Was leave given or an order made in a proceeding under section 18 of the <i>Crimes (Protection of Witness Identity) Act 2011</i></b>	No
<b>Was a witness identity protection certificate cancelled under section 15 of the <i>Crimes (Protection of Witness Identity) Act 2011</i></b>	No
<b>Was a person allowed to give information under section 19 of the <i>Crimes (Protection of Witness Identity) Act 2011</i></b>	No

<sup>3</sup> This does not include any witness identity protection certifications that may have been granted under corresponding laws, including Commonwealth legislation.

INNEN POLICE STATION





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