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Embargoed until 3:30pm 20th October 2006

NSW Ombudsman's 2005-2006 Controlled Operations Annual Report

The Ombudsman has reported to Parliament today a 15% decrease in authorities granted by law enforcement agencies in NSW to conduct controlled operations. NSW Police, the NSW and Australian Crime Commissions, the ICAC and the Police Integrity Commission conduct these undercover operations in which participants technically break the law in order to investigate and deter crime and corrupt conduct. A total of 406 operations were authorised and 322 completed during the past financial year.

“Controlled operations are an extremely important and useful investigatory tool,” the Ombudsman said. **“My inspections found on the whole that all the agencies were using these powers in a responsible and effective way”** Mr Barbour said.

NSW Police continues to be the agency responsible for the vast majority of controlled operations. 82% of the NSW Police operations targeted criminal activities associated with the supply, possession, cultivation or manufacture of prohibited drugs. The majority of operations authorised law enforcement officers or civilians to engage in conversations and negotiations involving the supply of prohibited drugs and the purchase and possession of prohibited drugs. 51% of police operations resulted in arrests and charges. In 26% of the approved operations, no controlled activities were carried out for a variety of operational reasons.

116 NSW Police operations resulted in the seizure of prohibited drugs - 76% seized varieties of amphetamines, 10% heroin, 10% cannabis and 4% resulted in seizures of cocaine.

Other operations conducted by NSW Police targeted serious offences including armed robbery, murder, fraud, terrorist activities, arson, malicious wounding, prostitution, malicious damage and affray, perverting the course of justice and child pornography offences.

Over 12,000 police officers were authorised to take part in controlled operations during the year but only 437 law enforcement participants and 106 civilians actually took part in the 290 completed operations.

The NSW Crime Commission completed 14 controlled operation during the year, the Police Integrity Commission 8, the Professional Standards Command of NSW Police 5, the Australian Crime Commission 3, and the ICAC 2. The Australian Federal Police and Australian Customs Service are able to conduct controlled operations under the NSW law but neither agency has done so to date.