

Drug detection dog warrants issued at Newtown Local Court in 2004

COMMENT	2
BACKGROUND	2
NEWTOWN WARRANTS	3
<i>four-in-five identifications are false</i>	3
<i>police are targeting the local methadone clinic</i>	4
<i>police are targeting commuters at Newtown Railway Station</i>	4
<i>most drug detections are for possession of small amounts of cannabis</i>	5
MARRICKVILLE WARRANTS	6
<i>warrants are granted for five whole suburbs</i>	6
WARRANTS	7
WARRANT 11/2004 (28/1/2004, MARRICKVILLE LAC).....	8
WARRANT 12/2004 (28/1/2004, NEWTOWN LAC)	10
WARRANT 28/2004 (17/2/2004, MARRICKVILLE LAC).....	12
WARRANT 34/2004 (24/2/2004, NEWTOWN LAC)	13
WARRANT 43/2004 (13/3/2004, MARRICKVILLE LAC).....	14
WARRANT 44/2004 (18/3/2004, NEWTOWN LAC)	15
WARRANT 46/2004 (22/3/2004, NEWTOWN LAC)	16
WARRANT 66/2004 (13/5/2004, NEWTOWN LAC)	17
WARRANT 67/2004 (13/5/2004, MARRICKVILLE LAC).....	18
WARRANT 71/2004 (18/5/2004, NEWTOWN LAC)	19

prepared by: Michael Walton, NSW Council for Civil Liberties
date: 7 June 2004

Comment

Background

Under the *Police Powers (Drug Detection Dogs) Act 2001* (NSW) NSW police can use sniffer dogs at certain prescribed places without a warrant.¹ These places include premises that serve alcohol, dance parties, street parades, entertainment venues and on Sydney trains and railway stations.

If police wish to use the dogs in any other public place, for example on a street or in a park, they must apply for a warrant from an authorised justice.² Each application for a warrant and a report on the results of the execution of the warrant are available for public scrutiny at the Local Court that issues the warrant.³

On 28 May 2004 the NSW Council for Civil Liberties ('CCL') examined all the warrants issued by Newtown Local Court in 2004.

Two NSW Police Local Area Commands request warrants from Newtown Local Court: Newtown; and Marrickville.

The Registrar of the court is authorised to issue the warrants. All of the ten applications for a warrant examined by CCL were granted by the Registrar. None of the applications were rejected.

Overall, the reports on the execution of warrants are incomplete. Two reports were not even available.⁴ The reports do not always show how many people were identified by the dogs, how many were subsequently searched and how many people were actually in possession of drugs. This makes it very difficult to measure the accuracy of the dogs. When the warrants do show this information, the 'success' rate of the dogs is woeful: one actual detection for every five identifications.⁵

Of particular concern is the targeting of a methadone clinic in Enmore Rd by Newtown police and the granting of warrants to Marrickville police for an area covering five whole inner-western suburbs.

¹ *Police Powers (Drug Detection Dogs) Act 2001* (NSW) s 7.

² *Police Powers (Drug Detection Dogs) Act 2001* (NSW) s 8.

³ *Police Powers (Drug Detection Dogs) Regulation 2002* (NSW) r 11.

⁴ reports for warrants 43/2004 & 46/2004.

⁵ see "four-in-five identifications are false" on page 3.

Newtown warrants

The most disturbing features arising from the warrants requested by Newtown police are that:

- the drug detection dogs have a very poor one-in-five 'success' rate;
- the police are targeting users of the local methadone clinic;
- the police are targeting commuters at Newtown railway station; and,
- the most commonly detected drug is cannabis and only small amounts are detected.

four-in-five identifications are false

Not all the reports on the execution of warrants include statistics on the number of identifications by the dogs, the number of subsequent searches and the number of actual drug detections, but those that do tell a woeful story.

On 13/5/2004 and 14/5/2004 along King St, dogs identified 71 people, who were then searched by police, but only 14 of those 71 had drugs on them.⁶ On 29/1/2004 and 30/1/2004 along King St, dogs identified 25 people, who were then searched by police, but only 5 of the 25 had drugs on them.⁷

This amounts to a one-in-five 'success' rate. In other words, for every five people the sniffer dogs identify, four people are not carrying drugs at all. Those four people are being stopped and searched for no valid reason at all.

Police have a discretion as to how far to take a search. It is of great concern that once a dog falsely identifies a person as carrying drugs, police will carry the search quite far to discover those (non-existent) drugs. Anecdotal evidence from Newtown residents suggests that police have been known to strip search people, down to their boxer shorts, in public.

People identified by the dogs are treated as criminal suspects, subjected to embarrassing searches in public and, anecdotal evidence would suggest, routinely asked for identification so that an outstanding warrant check can be made.

The highest drug detection 'success' rate for the dogs recorded on the warrants is one-in-three.⁸ But this still means that the majority of searches are performed on people whom the police should not be searching at all. This complete lack of accuracy is reason enough to stop the use of these dogs completely.

The statistics for the use of the drug detection dogs in prescribed areas are not available at the Local Court because no warrant is required.⁹ It is therefore not possible for the public to determine whether the 'success' rate is similar or otherwise when the dogs are used in these prescribed areas.

⁶ warrant 66/2004 (13/5/2004, Newtown LAC).

⁷ warrant 12/2004 (28/1/2004, Newtown LAC).

⁸ warrant 71/2004 (19/5/2004, Newtown LAC): 9 searches resulted in only 3 actual detections of drugs.

⁹ *Police Powers (Drug Detection Dogs) Act 2001* (NSW) s 7.

police are targeting the local methadone clinic

Each new application for a warrant by Newtown police tends to repeat the same reasons used by previous warrants for the need to use the dogs in a public place. Two of the reasons used in all the warrants applied for by Newtown police in 2004 are:

- “methadone clinic situated...[in] Enmore Rd is a destination of drug addicts, who usually arrive by train and traverse King St and Enmore Rd, evidence has found that many are in possession of illegal drugs.
- proximity of methadone clinic attracts distributors of illegal drugs who know that there is a ready source of customers to be found in vicinity.”

This is of grave concern because methadone clinics are an important part of the government’s drug harm minimisation strategy, which was adopted after the 1999 Drug Summit. Aggressive policing such as this will scare people away from the clinic and, potentially, into the arms of unhealthy alternatives.

The fact that the vast number of prohibited drugs detected in public places by the sniffer dogs, according to the reports on the executions of these warrants,¹⁰ are for cannabis *possession* demonstrates a failure of the police to substantiate their claim that the clinic is a focus of illegal drug *supply* in Newtown/Enmore.

The authorising justice of a warrant is required to give reasons why he or she has granted the warrant. In one particularly disturbing warrant, the Registrar of the Newtown Local Court listed a reason for issuing the warrant of: “other circumstances suggesting possession, use and supply likely to be detected in area subject of this application – presence of methadone clinic and licensed premises”.¹¹

It is not reasonable to conclude that drugs will always be found wherever a methadone clinic – or a pub – is located. This is not a sufficient or valid reason to grant a warrant to use drug detection dogs in public.

police are targeting commuters at Newtown Railway Station

Another reason given by Newtown police on applications for these warrants is that:

“situated on King St is a railway station which many commuters use to access the amenities located along King St, and local experience is that many commuters are found in possession of illegal drugs.”

The idea that *many* commuters possess drugs is an outlandish generalisation and cannot be substantiated in fact. The Oxford English Dictionary defines ‘many’ as ‘a great (indefinite) number of’. The idea that a great number of commuters are carrying drugs is ludicrous.

Newtown Railway Station is a busy inner-city station. If *many* commuters were in possession of drugs, the reports on the execution of warrants would show that *hundreds*, not a handful, of commuters were being detected during drug detection dog operations.

¹⁰ see “most drug detections are for possession of small amounts of cannabis” on page 5.

¹¹ warrant 34/2004 (24/2/2004, Newtown LAC).

The statistics in the reports on the execution of these warrants do not bear out this outrageous slur on commuters using Newtown Railway Station. This is not a valid reason for the issuing of a warrant to use sniffer dogs.

most drug detections are for possession of small amounts of cannabis

Cannabis is a prohibited drug.¹² However, Parliament recognises that the impact on the community of that drug is less than that of other prohibited substances. This is evidenced in the introduction of the cannabis cautioning system: a recommendation of the 1999 Drug Summit.

While the substance detected is not always listed in the report on the execution of a warrant, it is clear that cannabis is the prohibited drug most commonly detected by the sniffer dogs in public places.¹³ Only small amounts of the drug are detected.¹⁴

Given the small risk that cannabis presents to the community¹⁵ and the small amounts detected by the dogs,¹⁶ it is surprising that so much effort and resources are spent on detecting this drug in comparison to more harmful substances. Indeed, the small amounts detected are most likely to be for personal use only.

These statistics also demonstrate that the police claim that the methadone clinic on Enmore Rd is a focus for illegal drug use in Newtown/Enmore is unsubstantiated, due to a complete lack of large numbers of detections.

¹² *Drug Misuse and Trafficking Act 1985* (NSW).

¹³ warrant 34/2004 (4 of 4 were cannabis); 44/2004 (5 of 5 were cannabis); 66/2004 (10 of 14 were cannabis – substance of other 4 detections not recorded); and 71/2004 (1 of 3 was cannabis – substance of other 2 detections not recorded).

¹⁴ any amount of cannabis leaf less than 30.0g is a 'small amount': *Drug Misuse and Trafficking Act 1985* (NSW) Sch 1.

¹⁵ see David Brown, David Farrier, Sandra Egger & Luke McNamara, *Criminal Laws: Materials and Commentary on Criminal Law and Process in New South Wales* (2001, 3rd edition) 1092-1095.

¹⁶ the largest recorded individual amount was 3g: warrant 44/2004 (18/3/2004, Newtown LAC). A total of 20g of cannabis from 4 people was detected in February 2004: warrant 34/2004 (24/2/2004, Newtown LAC), but this (in total) is still a 'small amount' of cannabis, see n 14 above.

Marrickville warrants

The most disturbing feature arising from the warrants requested by Marrickville police is that they are granted for an area covering five whole inner-western suburbs.

As in Newtown, the majority of detections in Marrickville appear to be for possession of small amounts of cannabis. There was only one detection of speed and one of ecstasy.¹⁷

None of the reports on the execution of the warrants in 2004 include complete statistics on how many identifications were made by the dogs, how many searches were performed and how many actual drug detections were made. This makes it impossible to assess the accuracy of the dogs when used in Marrickville.

warrants are granted for five whole suburbs

The public places for which warrants are granted to Marrickville police covers the five whole inner-western suburbs of Marrickville, Dulwich Hill, Enmore, Petersham and Stanmore. Presumably this accounts for the entire area of the Marrickville Local Area Command.

The only exceptions given on the warrant applications for this outrageously broad area are for places of worship, private premises, retail shops and entertainment venues. It should be noted that police can use the dogs at entertainment venues without a warrant anyway.¹⁸

It is extraordinary that any authorised justice would issue warrants for *every* public place, excluding the exceptions already listed, for five whole suburbs. This exposes the vast number of people who are *not* in possession of prohibited substances to the *legal* search by a sniffer dog. This is an outrageous invasion of the privacy and personal security of every resident and visitor to these five suburbs.

The legality of these warrants is brought into question by the sheer scale of the area covered. Given that the applications for these warrants begin by stating that there is evidence of drugs in the 'Marrickville CBD' and that they then go on to apply for a warrant covering areas far beyond that region, it could be argued that the warrants are not legal in form.

¹⁷ warrant 67/2004 (13/5/2004, Marrickville LAC).

¹⁸ *Police Powers (Drug Detection Dogs) Act 2001* (NSW) s 7.

Warrants

The notes that follow are a **summary** of the warrants issued at Newtown Local Court in 2004. Some detail has been left out – in the interests of brevity.

The complete and full warrants are available at Newtown Local Court for public scrutiny.

Details of two forms are given. Form 1 is the application for a warrant to use sniffer dogs in a public place. Of particular interest are the reasons given for the application by police and the reasons given for granting the application by the authorised justice.

Form 3 is the report on the execution of the warrant. Of particular interest here is the number of drug detections and, when stated, the total number of searches undertaken by police.

Warrant 11/2004 (28/1/2004, Marrickville LAC)

Form 1: application for a warrant

application:	11/2004
date:	28/1/2004
name:	XXX, Sergeant of Marrickville Local Area Command
public place to which warrant applies:	<p>Marrickville, Dulwich Hill, Enmore, Petersham and Stanmore bordered by the intersection of Garnet St and New Canterbury Rd, Dulwich Hill. Garnet St to the Cooks River, the northern side of the Cooks River until the railway line at Temp. The railway line to Edgeware Rd, Edgeware Rd to Stanmore Rd. Stanmore Rd to the intersection of Holt St. Holt St to the intersection of Percival St to Bridge Rd. Bridge Rd to the intersection of Parramatta Rd. Parramatta Rd to the intersection of Old Canterbury Rd. Old Canterbury Rd to the railway line. The railway line to New Canterbury Rd, Dulwich Hill. New Canterbury Road to Garnet St.</p> <p>Excludes places of worship, private premises, retail shops and entertainment venues.</p>
period to which warrant applies:	1400 on Thursday 29/1/2004 to 0100 on Saturday 31/1/2004.
reasonable grounds stated on warrant:	<p>Marrickville police are aware of a number of individuals and groups alleged to be involved in supply of illicit drugs in vicinity of Marrickville CBD. These offences are taking place during afternoons and evenings. The following intelligence reports outline alleged drug supply incidents and targets in the Marrickville CBD:</p> <ol style="list-style-type: none"> 1. Since January 2003 there have been 180 drug detections and 779 intelligence reports relating to drug activity submitted for the subject area relating to drug activity. 2. Information report XXX submitted on 12 January 2004 relates to a member of public witnessing a possible drug transaction at 5:20pm on 12/1/04 involving 2 males in Seaview St, Dulwich Hill. Vehicle XXX which was involved in this transaction has previous intelligence reports for drug distribution in area. 3. 19/1/2004 – male states he buys speed on Marrickville Rd, Marrickville 4. 14/1/2004 – 2 persons injecting drugs at XXX Marrickville Rd, Marrickville 5. 9/1/2004-21/1/04 – controlled drug operations – police purchasing heroin and speed on at least 6 occasions. 6. 16/10/03 – drug detection dog operation: within 3 hours – 5 x cannabis detections and 1 x buprenorphine. 7. 1/8/03 – Operation Viking: 7 x cannabis, 2 x heroin detections at Thornley St, Marrickville; Livingstone Hotel; Gladstone Hotel; Sydenham Railway; Vic on the Park. 8. 28/3/03 and 29/3/03 – Operation Viking: 7 x ecstasy, 3 x cannabis at Gladstone Hotel; Marrickville Rd, Masonic Club, Oxford Tavern. 5 detections at Sydenham Railway Station. 9. 11 and 12/10/02 – drug detection dogs operations detects 19 individuals in possession of prohibited drugs at Sydenham Railway; Marrickville RSL; Marrickville railway; Illawarra Rd; Marrickville; Vic on the Park; Oxford Tavern.

sworn and authorised by:	Registrar, Newtown Local Court, 28/1/2004 at 3:12pm.
reasons:	cogent documented history of use, possession and supply of prohibited drugs in area the subject of the search.

Form 3: report to authorised justice on the execution of a warrant

application:	11/2004
warrant executed on:	29/1/2004, 16: 30-18:30 30/1/2004, 16:30-19:00
results of execution:	8 separate drug detections
signed:	XXX, sergeant, Marrickville Local Area Command
date:	3/2/2004

Warrant 12/2004 (28/1/2004, Newtown LAC)

Form 1: application for a warrant

application:	12/2004
date:	28/1/2004
name:	XXX, Sergeant of Newtown Local Area Command
public place to which warrant applies:	King St, Newtown, between Newman St to the south and Forbes St to the North, and within a radius of 100m east and west of that section of King St described above.
period to which warrant applies:	1600, Thursday 29/1/2004 to 2300, Friday 30/1/2004
reasonable grounds stated on warrant:	<ul style="list-style-type: none"> • in the last 12 months there have been 80 reported incidents along King St between Newman and Forbes Sts involving possession or distribution of illegal drugs • 21/2/04-6/2/03: 50 reported incidents of detection of prohibited drugs within the area the subject of this application • there are 8 hotels and several other licensed premises, and public car parks, which because of opportunities offered by such locations for discretion tend to attract covert trafficking in illegal drugs, and both sellers and buyers use King St and the streets abutting it to reach those distribution points. • methadone clinic situated at XXX Enmore Rd is a destination of drug addicts, who usually arrive by train and traverse King St and Enmore Rd, evidence has found that many are in possession of illegal drugs. • proximity of methadone clinic attracts distributors of illegal drugs who know that there is a ready source of customers to be found in vicinity. • within the precincts of the area the subject of this application is located a high-walled cemetery off Church St, which affords cover from view for sellers and users of illegal drugs and often is frequented by such people. • situated on King St is a railway station which many commuters use to access the amenities located along King St, and local experience is that many commuters are found in possession of illegal drugs. • ... • 5:15pm, 12/12/03 – drug detection dog operation, Newtown Railway, 0.64gm cannabis • 6:10pm, 12/12/03, drug detection dog operation, 6.85gm cannabis • ... • <i>attached</i> details of 50 charges for drug possession...
sworn and authorised by:	Registrar, Newtown Local Court, 28/1/2004 at 3:50pm.
reasons:	cogent documented history of use, possession and supply of prohibited drugs in area the subject of the search.

Form 3: report to authorised justice on the execution of a warrant

application:	12/2004
warrant executed on:	29/1/2004, 8pm – 30/1/04, 10pm
results of execution:	5 possessions 20 identifications by dogs – no drugs The warrant supported the idea that persons within the Newtown area are involved in the use and possession of prohibited drugs.
signed:	XXX, sergeant, Newtown Local Area Command
date:	17/2/2004

Warrant 28/2004 (17/2/2004, Marrickville LAC)

Form 1: application for a warrant

application:	28/2004
date:	17/2/2004
name:	XXX, Sergeant of Marrickville Local Area Command
public place to which warrant applies:	<p>Marrickville, Dulwich Hill, Enmore, Petersham and Stanmore bordered by the intersection of Garnet St and New Canterbury Rd, Dulwich Hill. Garnet St to the Cooks River, the northern side of the Cooks River until the railway line at Temp. The railway line to Edgeware Rd, Edgeware Rd to Stanmore Rd. Stanmore Rd to the intersection of Holt St. Holt St to the intersection of Percival St to Bridge Rd. Bridge Rd to the intersection of Parramatta Rd. Parramatta Rd to the intersection of Old Canterbury Rd. Old Canterbury Rd to the railway line. The railway line to New Canterbury Rd, Dulwich Hill. New Canterbury Road to Garnet St.</p> <p>Excludes places of worship, private premises, retail shops and entertainment venues.</p>
period to which warrant applies:	1400 on Thursday 19/2/2004 to 0100 on Friday 20/2/2004.
reasonable grounds stated on warrant:	<p>Marrickville police are aware of a number of individuals and groups alleged to be involved in supply of illicit drugs in vicinity of Marrickville CBD. These offences are taking place during afternoons and evenings. The following intelligence reports outline alleged drug supply incidents and targets in the Marrickville CBD:</p> <ol style="list-style-type: none"> 1. Since January 2003 there have been 185 drug detections and more than 800 intelligence reports relating to drug activity submitted for the subject area relating to drug activity. 2. 12/2/2004 – drug activity outside Huntsbury Hotel in Hunter St, Lewisham 3. ... 4. <i>most repeat of last warrant, but some new charges</i> 5. ... 6. On 28 & 29/1/2004 – drug detection dog operation, resulted in 9 separate drug detections.
sworn and authorised by:	Registrar, Newtown Local Court, 17/2/2004 at 3:25pm.
reasons:	documented instances of drug supply, possession and use occurring in area these subject of the application over long period with incidents being detected on 12/2/2004

Form 3: report to authorised justice on the execution of a warrant

application:	28/2004
warrant executed on:	16:30-20:30, Thursday, 19/2/2004
results of execution:	3 separate drug detections (all small amounts of cannabis)
signed:	XXX, sergeant, Marrickville Local Area Command
date:	20/2/2004

Warrant 34/2004 (24/2/2004, Newtown LAC)

Form 1: application for a warrant

application:	34/2004
date:	24/2/2004
name:	XXX, Detective Leading Senior Constable, Newtown L.A.C.
public place to which warrant applies:	<ul style="list-style-type: none"> • King St, Newtown, between Alice St to the south and Forbes St to the north, and within a radius of 100m east and west of that section of King St described above • Enmore Rd at Newtown/Enmore, between King St to east and Stanmore Rd to west, and within radius of 50m north and south of that section of Enmore Rd described above • Erskineville Rd, between Kings St to west and Sydney Rd to east, and within radius of 50m north and south of that section of Erskineville Rd described above
period to which warrant applies:	1100 to 1700 on Wednesday 25 February 2004
reasonable grounds stated on warrant:	<ul style="list-style-type: none"> • since 1/8/2003 there have been 133 reported incidents, within or near the precincts described above, which involved possession or distribution of illegal drugs • <i>same points as from 12/2004 (but without attachment)</i> • ...
sworn and authorised by:	Registrar, Newtown Local Court, 24/2/2004 at 2:55pm.
reasons:	<ul style="list-style-type: none"> • detailed information given of use, possession and supply of prohibited drugs in area subject of this application • other circumstances suggesting possession, use and supply likely to be detected in area subject of this application – presence of methadone clinic and licensed premises.

Form 3: report to authorised justice on the execution of a warrant

application:	34/2004
warrant executed on:	Wednesday, 25/2/2004, 11am
results of execution:	total 20gms cannabis from 4 persons no occupiers notice given
signed:	XXX, Detective Leading Senior Constable, Newtown LAC
date:	1/3/2004

Warrant 43/2004 (13/3/2004, Marrickville LAC)

Form 1: application for a warrant

application:	43/2004
date:	13/3/2004
name:	XXX, Sergeant of Marrickville Local Area Command
public place to which warrant applies:	<p>Marrickville, Dulwich Hill, Enmore, Petersham and Stanmore bordered by the intersection of Garnet St and New Canterbury Rd, Dulwich Hill. Garnet St to the Cooks River, the northern side of the Cooks River until the railway line at Temp. The railway line to Edgeware Rd, Edgeware Rd to Stanmore Rd. Stanmore Rd to the intersection of Holt St. Holt St to the intersection of Percival St to Bridge Rd. Bridge Rd to the intersection of Parramatta Rd. Parramatta Rd to the intersection of Old Canterbury Rd. Old Canterbury Rd to the railway line. The railway line to New Canterbury Rd, Dulwich Hill. New Canterbury Road to Garnet St.</p> <p>Excludes places of worship, private premises, retail shops and entertainment venues.</p>
period to which warrant applies:	1300 on Thursday 18/3/2004 to 0400 on Saturday 20/3/2004.
reasonable grounds stated on warrant:	<p>Marrickville police are aware of a number of individuals and groups alleged to be involved in supply of illicit drugs in vicinity of Marrickville CBD. These offences are taking place during afternoons and evenings. The following intelligence reports outline alleged drug supply incidents and targets in the Marrickville CBD:</p> <ol style="list-style-type: none"> 1. Since January 2003 there have been 195 drug detections and more than 850 intelligence reports relating to drug activity submitted for the subject area relating to drug activity. 2. 12/2/2004 – drug activity outside Huntsbury Hotel in Hunter St, Lewisham 3. ... 4. <i>most repeat of last warrant, but some new information. most recent 16/3/04</i> 5. ... 6. On 28 & 29/1/2004 – drug detection dog operation, resulted in 9 separate drug detections.
sworn and authorised by:	Registrar, Newtown Local Court, 17/3/2004 at 12:20pm.
reasons:	detailed and documented detections of prohibited drugs in the area the subject of this application over 12 month period.

Form 3: report to authorised justice on the execution of a warrant

application:	43/2004
warrant executed on:	<i>report not available at Newtown Local Court</i>
results of execution:	
signed:	
date:	

Warrant 44/2004 (18/3/2004, Newtown LAC)

Form 1: application for a warrant

application:	44/2004
date:	18/3/2004
name:	XXX, Detective Senior Constable, Newtown L.A.C.
public place to which warrant applies:	<ul style="list-style-type: none"> • Sydenham railway station & surrounds including Gleeson Ave and Burrows St • King St, Newtown, between Alice St to the south and Forbes St to the north, and within a radius of 100m east and west of that section of King St described above • Enmore Rd at Newtown/Enmore, between King St to east and Stanmore Rd to west, and within radius of 50m north and south of that section of Enmore Rd described above • Erskineville Rd, between Kings St to west and Sydney Rd to east, and within radius of 50m north and south of that section of Erskineville Rd described above
period to which warrant applies:	1700 to 2200 on Thursday 18/3/2004 1400 to 2200 on Saturday 20/3/2004
reasonable grounds stated on warrant:	<ul style="list-style-type: none"> • <i>same points as from 34/2004</i>
sworn and authorised by:	Registrar, Newtown Local Court, 18/3/2004 at 3:03pm.
reasons:	<ul style="list-style-type: none"> • previous search warrant 3/3/04 – 10 drug detections, 7 arrested and 3 police intelligence reports created. • documented information in application and details of recent seizures documented above provide reasonable grounds for the issue of this warrant.

Form 3: report to authorised justice on the execution of a warrant

application:	44/2004
warrant executed on:	Thursday, 18/3/04, 5pm-10pm Saturday, 20/3/04, 2pm-10pm
results of execution:	5 arrests relating to cannabis possession (quantities vary from 0.5g to 3g)
signed:	XXX, Detective Senior Constable, Newtown LAC
date:	22/3/2004

Warrant 46/2004 (22/3/2004, Newtown LAC)

Form 1: application for a warrant

application:	46/2004
date:	22/3/2004
name:	XXX, Constable, Newtown L.A.C.
public place to which warrant applies:	<ul style="list-style-type: none"> • King St, Newtown, between Alice St to the south and Forbes St to the north, and within a radius of 100m east and west of that section of King St described above • Enmore Rd at Newtown/Enmore, between King St to east and Stanmore Rd to west, and within radius of 50m north and south of that section of Enmore Rd described above • Erskineville Rd, between Kings St to west and Sydney Rd to east, and within radius of 50m north and south of that section of Erskineville Rd described above
period to which warrant applies:	0800-1700, Tuesday 23/3/2004
reasonable grounds stated on warrant:	<ul style="list-style-type: none"> • <i>same points as from 44/2004</i> • 25/2/04 – drug detection dog operation – 4 arrests for possession of cannabis • 4/3/04 – drug detection dog operation – 7 arrests for possession of cannabis
sworn and authorised by:	Registrar, Newtown Local Court, 22/3/2004 at 3:20pm.
reasons:	<ul style="list-style-type: none"> • details given of detection of possession, supply and use of prohibited drugs in area subject to application. • 2 recent similar warrants led to 11 arrests for possession of cannabis

Form 3: report to authorised justice on the execution of a warrant

application:	46/2004
warrant executed on:	<i>report not available at Newtown Local Court</i>
results of execution:	
signed:	
date:	

Warrant 66/2004 (13/5/2004, Newtown LAC)

Form 1: application for a warrant

application:	66/2004
date:	13/5/2004
name:	XXX, Sergeant, Newtown L.A.C.
public place to which warrant applies:	<ul style="list-style-type: none"> • King St, Newtown, between Alice St to the south and Forbes St to the north, and within a radius of 50m east and west of that section of King St described above • Enmore Rd at Newtown/Enmore, between King St to east and Stanmore Rd to west, and within radius of 50m north and south of that section of Enmore Rd described above • Erskineville Rd, between Kings St to west and Sydney Rd to east, and within radius of 50m north and south of that section of Erskineville Rd described above • Burrow St, Sydenham between Gleeson St in south and George St in north • Swain St, Sydenham between Burrows St in west and Unwins Bridge Rd in east • Gleeson St, Sydenham between Railway Pde in west and Unwins Bridge Rd in east
period to which warrant applies:	1400-2200, Thursday 13/5/04 1400-2200, Friday 14/5/04
reasonable grounds stated on warrant:	<ul style="list-style-type: none"> • since 1/11/03, there have been 85 reported incidents...of possession or distribution of prohibited drugs • ... • along King St and Enmore Rd, between Stanmore Rd, Alice St, and Missenden Rd are 12 hotels... • 25/2/04 at 1300 – drug detection dog operation, 11.2g cannabis detected at Newtown railway station • 25/2/04 at 1250 – drug detection dog operation, 7.6g cannabis, King St & Enmore Rd • 20/3/04 at 1710 – drug detection dog operation, 0.1g cannabis • ...
sworn and authorised by:	Registrar, Newtown Local Court, 13/5/2004 at 3:01pm.
reasons:	<ul style="list-style-type: none"> • cogent details given of ongoing incidents of supply, possession and use of prohibited drugs within the area the subject of this application • details given of circumstances of presence of premises within area of search and conclude prohibited drugs likely to be located as a result of the issue and execution of this warrant • details given of several previous warrants issued for drug seizures and arrests resulting from execution.

Form 3: report to authorised justice on the execution of a warrant

application:	66/2004
warrant executed on:	1515-2300, 13/5/2004 1430-2300, 14/5/2004
results of execution:	71 people searched 14 found in possession (10 cannabis cautions, 4 charged)
signed:	Sergeant, Newtown LAC
date:	17/5/2004

Warrant 67/2004 (13/5/2004, Marrickville LAC)

Form 1: application for a warrant

application:	67/2004
date:	13/5/2004
name:	XXX, Sergeant of Marrickville Local Area Command
public place to which warrant applies:	Marrickville, Dulwich Hill, Enmore, Petersham and Stanmore bordered by the intersection of Garnet St and New Canterbury Rd, Dulwich Gill. Garnet St to the Cooks River, the northern side of the Cooks River until the railway line at Temp. The railway line to Edgeware Rd, Edgeware Rd to Stanmore Rd. Stanmore Rd to the intersection of Holt St. Holt St to the intersection of Percival St to Bridge Rd. Bridge Rd to the intersection of Parramatta Rd. Parramatta Rd to the intersection of Old Canterbury Rd. Old Canterbury Rd to the railway line. The railway line to New Canterbury Rd, Dulwich Hill. New Canterbury Road to Garnet St. Excludes places of worship, private premises, retails shops and entertainment venues.
period to which warrant applies:	1400, 14/5/2004 to 0100, 16/5/2004
reasonable grounds stated on warrant:	Marrickville police are aware of a number of individuals and groups alleged to be involved in supply of illicit drugs in vicinity of Marrickville CBD. These offences are taking place during afternoons and evenings. The following intelligence reports outline alleged drug supply incidents and targets in the Marrickville CBD: <ol style="list-style-type: none"> 1. Since May 2003 there have been 151 drug detections and more than 200 intelligence reports relating to drug activity submitted for the subject area relating to drug activity. 2. 7/5/2004 – report of drug supply in carpark, Illawarra Rd, Marrickville 3. ... 4. <i>most repeat of last warrant, but some new information. most recent 16/3/04</i> 5. 18-20/3/2004 – drug detection dog operation, resulted in 10 drug detections. 6. 19/2/2004 – drug detection dog operation, 3 cannabis detections 7. 29-30/1/2004 – drug detection dog operation, resulted in 8 drug detections. 8. ...
sworn and authorised by:	Registrar, Newtown Local Court, 13/5/2004 at 3:06pm.
reasons:	<ul style="list-style-type: none"> • cogent details given of previous and ongoing incidents of supply, possession and use of prohibited drugs within area the subject of this application • details of previous police operations leading to seizures of drugs and arrest.

Form 3: report to authorised justice on the execution of a warrant

application:	67/2004
warrant executed on:	14/5/2004-15/05/2004
results of execution:	10 x cannabis detections 1 x speed 1 x ecstasy
signed:	Sergeant, Marrickville LAC
date:	17/5/2004

Warrant 71/2004 (18/5/2004, Newtown LAC)

Form 1: application for a warrant

application:	71/2004
date:	18/5/2004
name:	XXX, Sergeant, Newtown L.A.C.
public place to which warrant applies:	<ul style="list-style-type: none"> • King St, Newtown, between Alice St to the south and Forbes St to the north, and within a radius of 100m east and west of that section of King St described above • Enmore Rd at Newtown/Enmore, between King St to east and Stanmore Rd to west, and within radius of 100m north and south of that section of Enmore Rd described above • Erskineville Rd, between Kings St to west and Sydney Rd to east, and within radius of 100m north and south of that section of Erskineville Rd described above
period to which warrant applies:	1200-2000, 19/5/04 1200-2000, 20/5/04
reasonable grounds stated on warrant:	<ul style="list-style-type: none"> • since 1/1/04, there have been 56 reported incidents...of possession or distribution of prohibited drugs • 14/5/04 at 1640 – drug detection dog operation, King St & Enmore Rd: 0.3g cannabis • 14/5/04 at 1700 – drug detection dog operation, King St & Enmore Rd: 0.5g cannabis • 14/5/04 at 1800 – drug detection dog operation, King St & Enmore Rd: 0.5g cannabis • ...
sworn and authorised by:	Registrar, Newtown Local Court, 18/5/2004 at 10:55am.
reasons:	<ul style="list-style-type: none"> • detailed information given of ongoing and numerous incidents of possession, supply and use of prohibited drugs within the area the subject of this warrant. Last incidents being 14/5/04. • details given of buildings and circumstances within area likely to encourage or aid in the possession , supply or use of prohibited drugs.

Form 3: report to authorised justice on the execution of a warrant

application:	71/2004
warrant executed on:	1200-1600, 19/5/2004
results of execution:	9 x searches 2 x possess prohibited drug 1 x cannabis caution 8 x intelligences 8 x events
signed:	Sergeant, Newtown LAC
date:	20/5/2004