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Our ref: 2003/23331

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**RECEIVED**  
17 FEB 2003

BY: *Gillian Gould*

Committee Secretary  
House of Representatives Standing Committee on  
Legal and Constitutional Affairs  
Parliament House  
CANBERRA ACT 2600

7 February 2003

Dear Committee Secretary

At the 9 October 2002 hearing of the House of Representatives Standing Committee on Legal and Constitutional Affairs inquiry into crime in the community I took (as then Acting Commissioner of NSW Police) a number of questions on notice.

The responses to those questions are attached for the information of the Committee members.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D B Madden'.

D B Madden  
Deputy Commissioner Operations

**Commonwealth Parliament  
House of Representatives Standing Committee on Legal and  
Constitutional Affairs  
Crime in the Community Inquiry**

**NSW Police Response to Questions Taken on Notice by Deputy  
Commissioner Dave Madden**

**1. How many people continue to face court in relation to the gang rapes investigated as part of Operation Sayda?**

There is only one offender from the Strike Force Sayda investigation yet to be dealt with by the court. He will go to trial some time in 2003 for 'Aggravated Sexual Assault.'

**2. Please provide the Crime Statistics from the Enterprise Data Warehouse, for Cabramatta LAC, in particular for drug related activity**

The information for 'drug detection' has been extracted from the Enterprise Data Warehouse (EDW). Please note that the EDW contains raw data, and is indicative of criminal behaviour. While a useful tool in planning operational responses, NSWSP, like other organisations, relies on the official data produced by the Bureau of Crime Statistics and Research.

There is sufficient evidence to show the decrease in drug detections is attributable in part to a decrease in the availability, trafficking and use of heroin. The figures do not indicate a reduction in the level of proactive police activity. Significantly, a demonstrable increase in police street level presence and activity such as street offences (which include move-ons) particularly 2001 – 2002 has also impacted on the level of drug activity in the Command and the number of drug detections.

**3. Does the NSWSP have an Operational Crime Index that rates each command on an overall scale of one to 80 against five heads?**

The 'Operational Crime Index' referred to in the Committee's proceedings, relates to a corporately generated Operations & Crime Review (OCR) Crime Index which was produced quarterly from January 1998 until April 2000. This Index was used as a tool to rank Local Area Commands according to the crimes of assault, break and enter, robbery, stealing and stolen vehicles. Production of the Index ceased in April 2000 under direction from Commissioner Ryan. The Index has not been corporately prepared or disseminated since that time.

**4. Is there an unwillingness or a policy not to intervene with juveniles who are drug abusing?**

There is no policy that directs police to not intervene with drug abusing juveniles. The *Young Offenders Act* provides for diversionary options in dealing with young people who are committing minor offences.

In cases of drug overdose, the priority of police is to protect the life of the young person and will call for paramedic assistance in all cases. The NSW Police drug overdose guidelines encourage police officers not to charge overdose victims, or others present, for self-administration and minor offences. This guideline is designed to save lives in situations where persons may not call 000, fearing that they will be charged. The Committee should note that Police are not routinely called to overdoses by 000.

Police, especially Youth Liaison Officers spend time with young people who are drug abusing to encourage them to seek help and refer them to agencies where possible. PCYC also takes a proactive role in assisting young people who they identify as drug using. While not negating their duties as a police officer, PCYC staff adopt a harm minimisation approach, as supported by government policy. PCYC enforce an alcohol and drug free environment. However, drug addicted persons are not excluded from PCYC programs, in support of harm minimisation and to underpin health and welfare principles. For example, a drug counsellor is permanently located at St George PCYC and outreach programs are currently being further developed.

When dealing with homeless young persons, who are often drug dependent, police will as a first priority determine their risk of harm status and, with their participation, report them to the Department of Community Services. The vulnerability of their homelessness is addressed by referral to an appropriate service. Police do intervene with young people at risk on a daily basis, many of whom are drug abusing. Where the drug dependency has led a young person to commit criminal actions, police will intervene as required by law.

**5. Outline the Cannabis Cautioning Scheme**

The NSW Cannabis Cautioning Scheme (CCS) is a NSW Drug Summit initiative which provides for the formal cautioning of adults apprehended for minor cannabis use and possession offences. The CCS was originally introduced Statewide as a 12-month trial on 3 April 2000. Given the success of the initial trial, the NSW Government extended the scheme for a further two years until April 2003. The NSW Police Service is the lead agency for the scheme.

The CCS provides police officers with the discretion to caution adult offenders in relation to the use and possession of up to 15 grams of dried cannabis, and the possession of equipment for the administration of cannabis. It aims to divert cannabis users from the court system and to encourage them to consider obtaining advice and/or treatment for their cannabis use. A cannabis caution may be issued to any given offender on two occasions. Any person apprehended on a third occasion for cannabis use or possession must be charged.

The Cannabis Cautioning Notice contains information on the legal and health consequences of cannabis use, and includes a dedicated contact phone number for the Alcohol and Drug Information Service (ADIS) funded by NSW Health. During the 12-month trial, there was no requirement for cautioned offenders to contact ADIS, and less than two percent of cautioned offenders voluntarily called the dedicated ADIS phone number seeking information or advice on cannabis use. In response to the low voluntary utilisation of the dedicated ADIS line, as of 1 September 2001, the NSW Government introduced mandatory education for second cannabis cautions, requiring individuals to contact ADIS in order to expiate the second cannabis caution.

As at 31 October 2002, 8,026 cannabis cautions were issued under the CCS, with 40 of these being second cannabis cautions. Of the 40 offenders who received second cautions, 20 had contacted ADIS within the required two-week period to expiate their second caution. Thus, while less than two percent of cautioned offenders voluntarily contact ADIS following their first cannabis caution, about half of those receiving a second caution contact ADIS when required to do so as a condition of the second caution.

**6. Please provide the NSW's views on what the Commonwealth could be doing to support the NSW...or what might be required to strengthen Commonwealth legislation to assist law enforcement agencies...which would have an impact on the reduction of crime.**

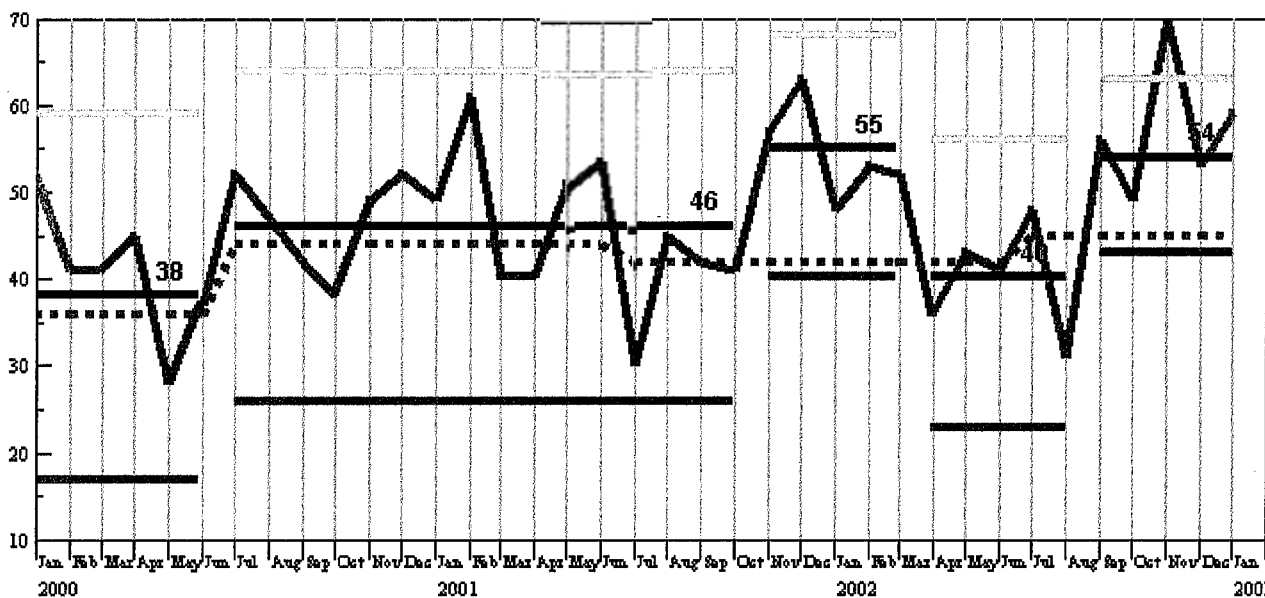
NSW Police currently progresses multi-jurisdictional and Commonwealth law reform issues through a number of forums, including the Australasian Crime Forum; Conference of Commissioners of Police of Australasia and the South West Pacific Region; and the Australian Police Minister's Council (APMC). NSW Police is fully supportive of the collaborative approach to law enforcement that these forums engender.

From a forensic procedures perspective NSW Police would like Part 1D of the Commonwealth *Crimes Act 1914* simplified. Of particular significance is the issue of inter-jurisdictional matching of DNA and the exchange of information concerning forensic evidence generally.

### LAC Control Chart

CABRAMATTA

ASSAULT



— Actual — CC Avg - - - CC Upper — CC Lower .. BP Target

Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	54	2002-08	40	14	Up	45	9

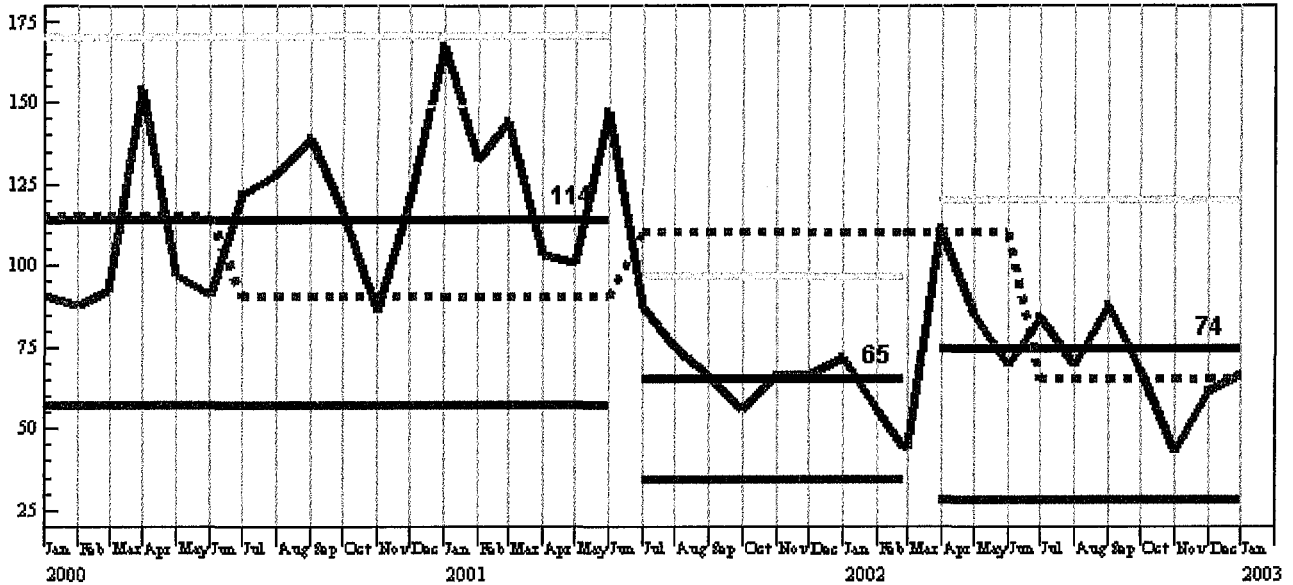
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	52	38	49	46	48	55	59	54
Feb	41	38	61	46	53	55		
Mar	41	38	40	46	52	55		
Apr	45	38	40	46	36	40		
May	28	38	51	46	43	40		
Jun	37	38	54	46	41	40		
Jul	52	46	30	46	48	40		
Aug	47	46	45	46	31	40		
Sep	42	46	42	46	56	54		
Oct	38	46	41	46	49	54		
Nov	49	46	57	55	70	54		
Dec	52	46	63	55	53	54		

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### LAC Control Chart

CABRAMATTA

BREAK AND ENTER



— Actual — CC Avg - - - CC Upper — CC Lower . . . BP Target

Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	74	2002-03	65	9	Up 4B	65	9

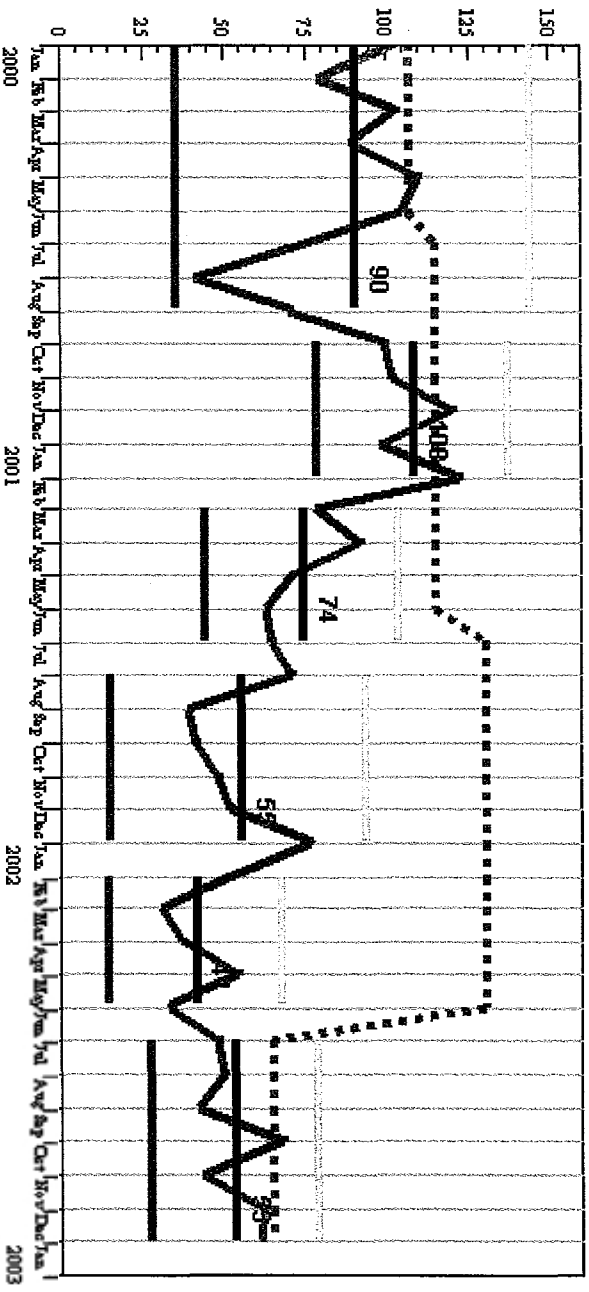
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	91	114	167	114	72	65	66	74
Feb	88	114	132	114	56	65		
Mar	92	114	144	114	44	65		
Apr	154	114	103	114	111	74		
May	97	114	100	114	85	74		
Jun	91	114	147	114	69	74		
Jul	122	114	87	65	84	74		
Aug	128	114	75	65	69	74		
Sep	139	114	66	65	88	74		
Oct	118	114	56	65	68	74		
Nov	86	114	66	65	43	74		
Dec	120	114	66	65	61	74		

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### LAC Control Chart

CARRAWAYTA

DRUG DETECTION



— Actual   
 - - - CC Avg   
 — CC Upper   
 — CC Lower   
 - - - BP Target

Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	53	2002-06	41	12	Up 2A	65	-12

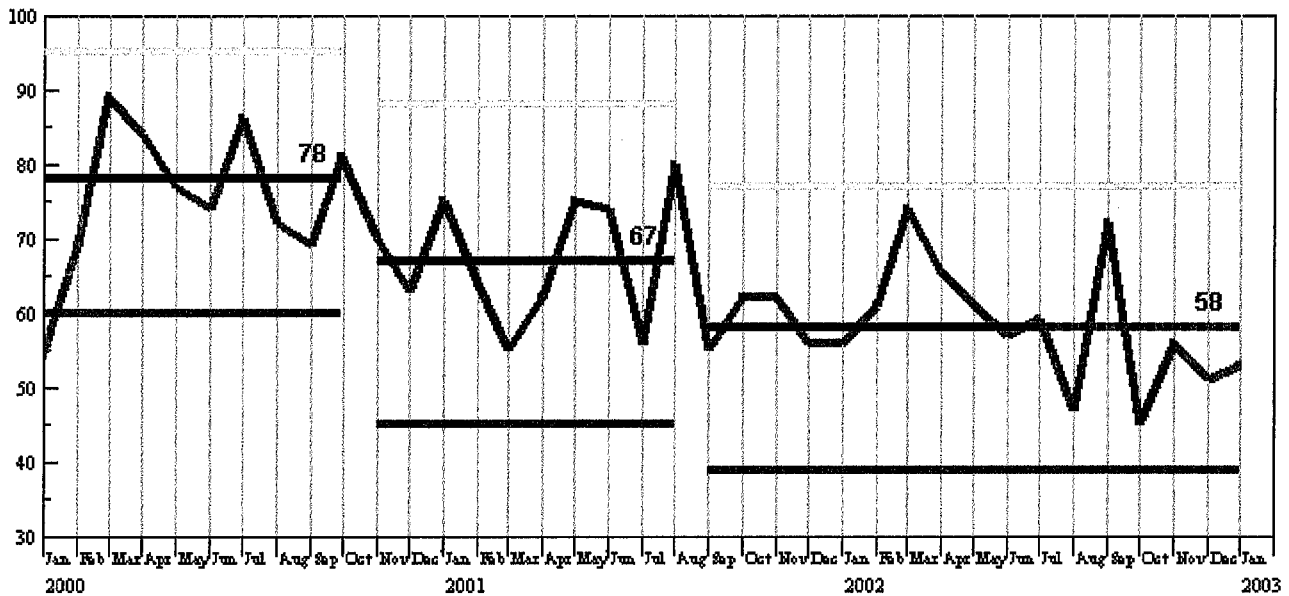
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	103	90	98	108	76	55	61	53
Feb	79	90	122	108	51	41		
Mar	103	90	78	74	31	41		
Apr	89	90	92	74	37	41		
May	110	90	71	74	54	41		
Jun	105	90	63	74	33	41		
Jul	75	90	65	74	48	53		
Aug	41	90	71	55	50	53		
Sep	70	90	39	55	42	53		
Oct	99	108	41	55	68	53		
Nov	102	108	48	55	43	53		
Dec	120	108	52	55	62	53		

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### LAC Control Chart

CABRAMATTA

MAJOR MVA



— Actual — CC Avg ... CC Upper — CC Lower - - BP Target

Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	58	2001-08	67	-9	Down 4B	58	0

	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	54	78	75	67	56	58	53	58
Feb	69	78	64	67	61	58		
Mar	89	78	55	67	74	58		
Apr	84	78	62	67	66	58		
May	77	78	75	67	61	58		
Jun	74	78	74	67	57	58		
Jul	86	78	56	67	59	58		
Aug	72	78	80	67	47	58		
Sep	69	78	55	58	72	58		
Oct	81	78	62	58	45	58		
Nov	70	67	62	58	56	58		
Dec	63	67	56	58	51	58		

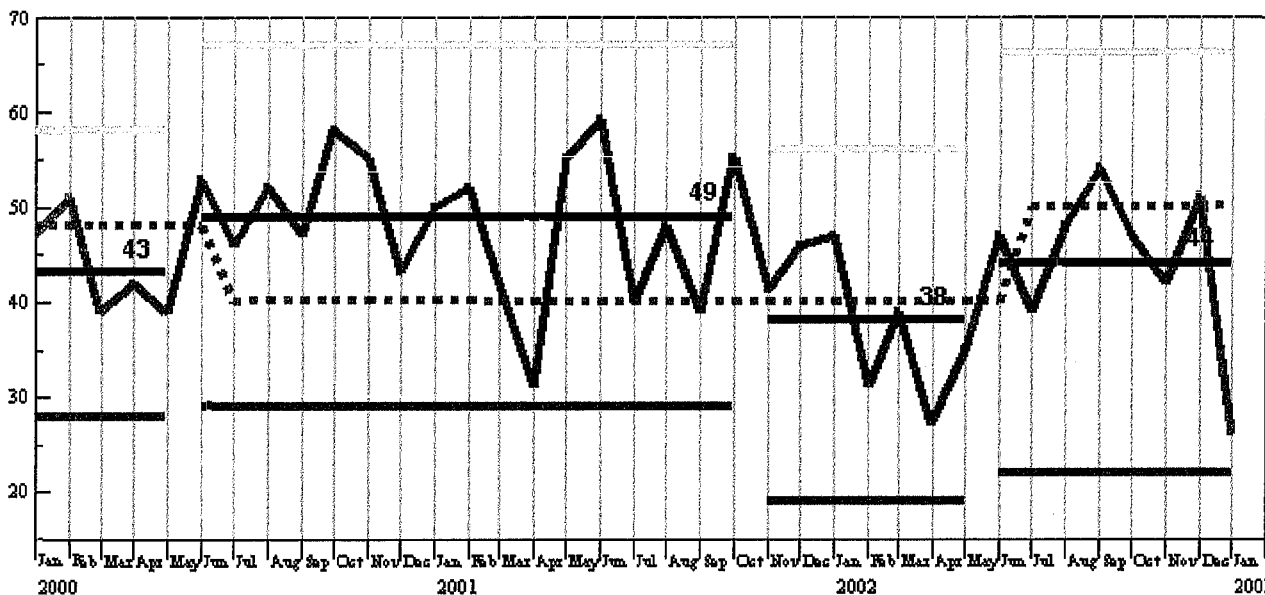
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### LAC Control Chart

CABRAMATTA

MALICIOUS DAMAGE



— Actual — CC Avg ... CC Upper — CC Lower .. BP Target

Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	44	2002-05	38	6	Up	50	-6

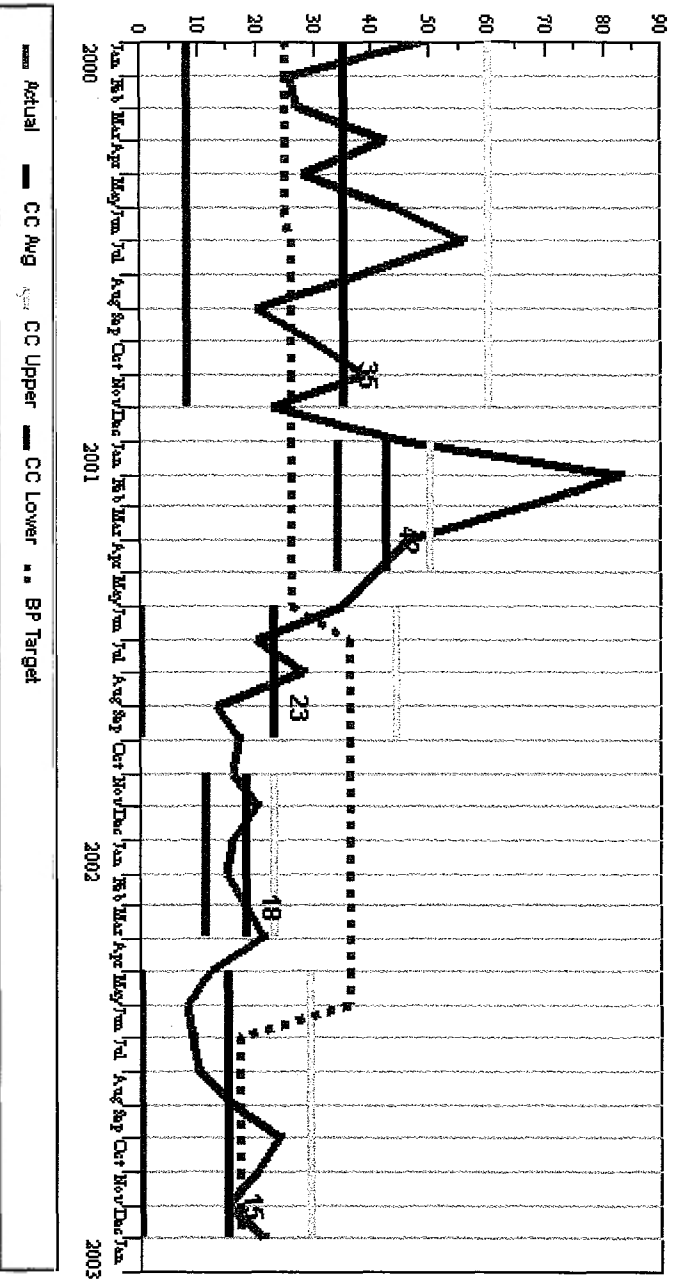
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	47	43	50	49	47	38	26	44
Feb	51	43	52	49	31	38		
Mar	39	43	42	49	39	38		
Apr	42	43	31	49	27	38		
May	39	43	55	49	35	38		
Jun	53	49	59	49	47	44		
Jul	46	49	40	49	39	44		
Aug	52	49	48	49	48	44		
Sep	47	49	39	49	54	44		
Oct	58	49	55	49	47	44		
Nov	55	49	41	38	42	44		
Dec	43	49	46	38	51	44		

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LAC Control Chart

CABRAMATA

ROBBERY



Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	16	2002-04	18	-3	Down	17	-2

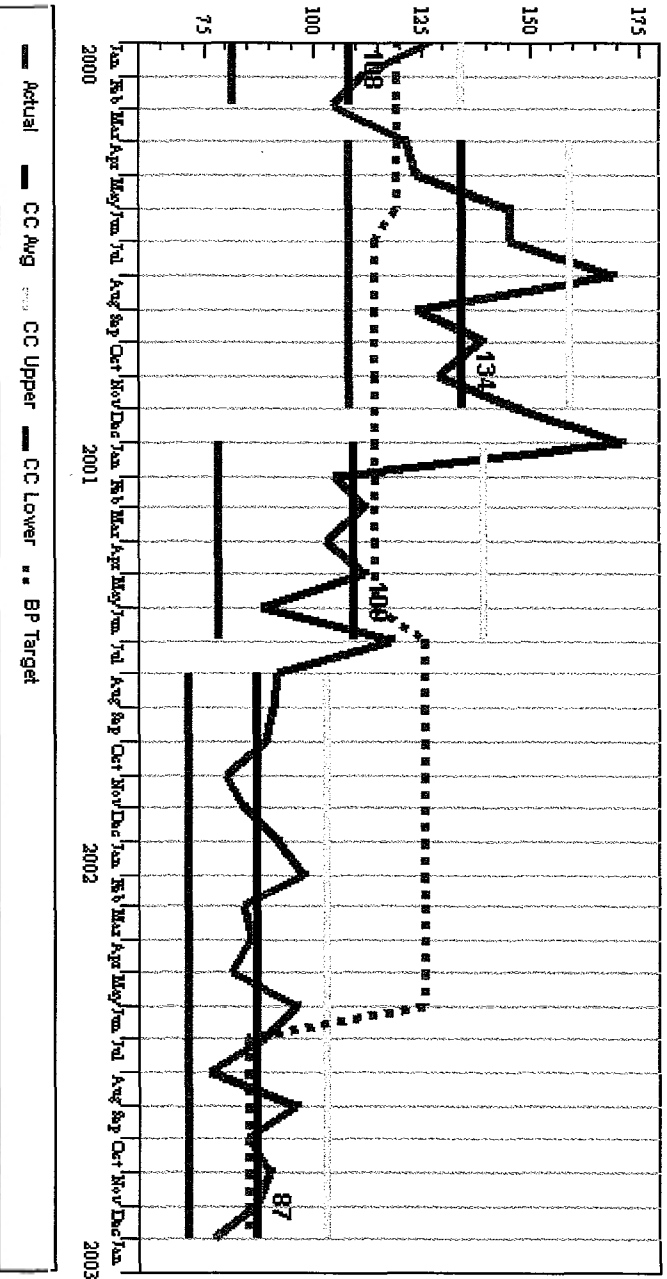
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	50	35	45	42	16	18	21	15
Feb	26	35	83	42	15	18		
Mar	27	35	67	42	18	18		
Apr	42	35	46	42	18	18		
May	28	35	41	42	21	18		
Jun	44	35	35	28	12	15		
Jul	56	35	20	23	8	15		
Aug	38	35	28	23	10	15		
Sep	20	35	13	23	16	15		
Oct	29	35	17	23	24	15		
Nov	39	35	16	18	20	15		
Dec	23	35	20	18	15	15		

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### LAC Control Chart

CABRAMATTA

STEALING



Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	87	2001-07	109	-22	Down	85	2

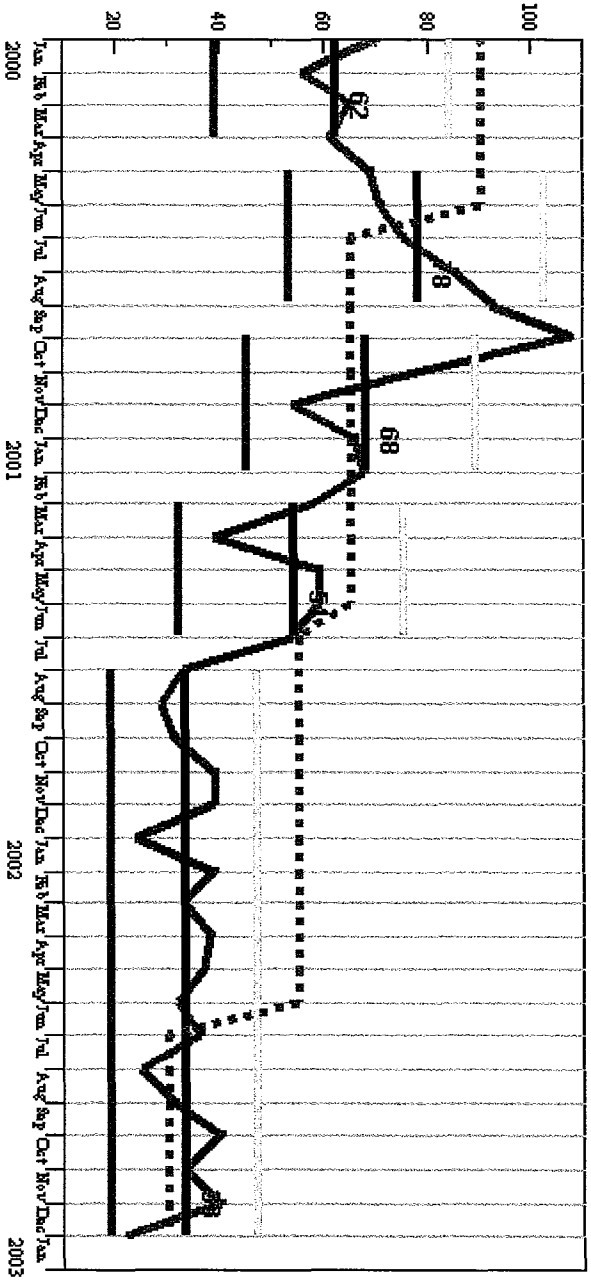
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	128	108	171	109	92	87	77	87
Feb	111	108	105	109	98	87		
Mar	105	108	112	109	84	87		
Apr	121	134	103	109	86	87		
May	124	134	112	109	81	87		
Jun	145	134	88	109	96	87		
Jul	145	134	118	109	89	87		
Aug	169	134	92	87	76	87		
Sep	124	134	91	87	96	87		
Oct	139	134	89	87	85	87		
Nov	129	134	80	87	90	87		
Dec	147	134	84	87	87	87		

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### LAC Control Chart

CABRAMATTA

STOLEN VEHICLE/VESSEL



Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	33	2001-07	54	-21	Down	30	3

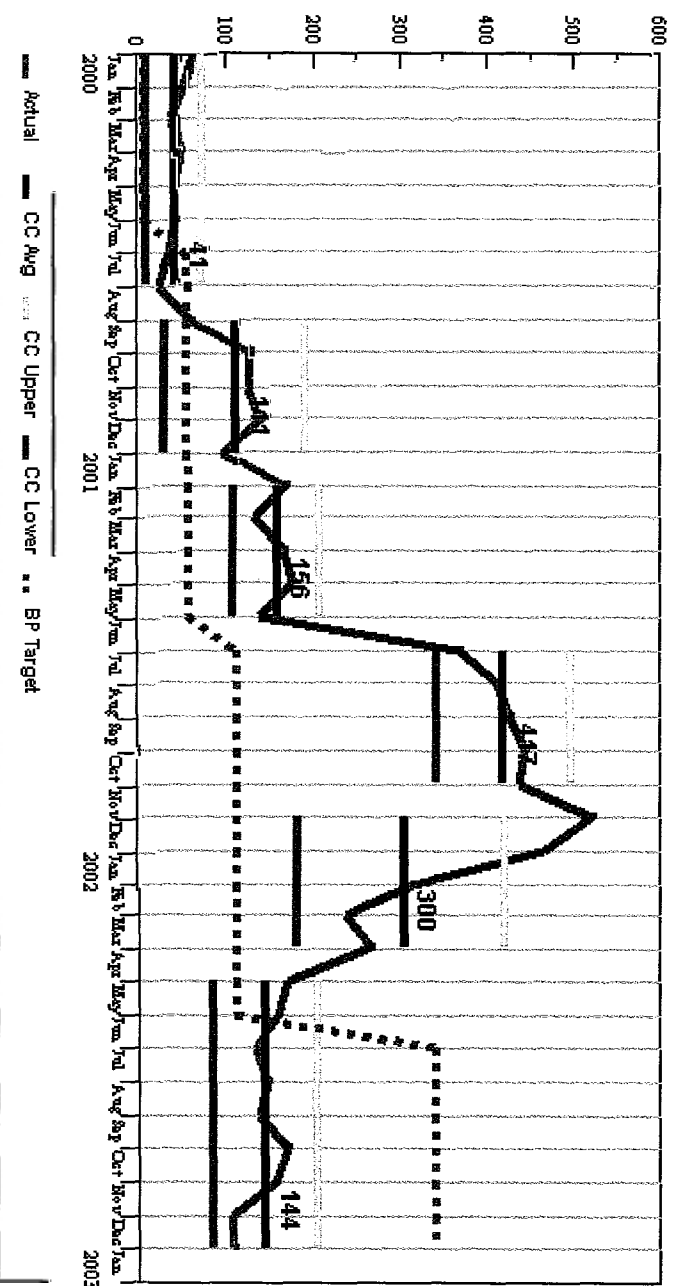
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	71	62	66	68	24	33	22	33
Feb	56	62	68	68	39	33		
Mar	65	62	58	54	33	33		
Apr	61	62	39	54	38	33		
May	69	78	59	54	37	33		
Jun	71	78	59	64	32	33		
Jul	75	78	54	54	36	33		
Aug	85	78	33	33	25	33		
Sep	92	78	29	33	31	33		
Oct	107	68	31	33	40	33		
Nov	78	68	39	33	33	33		
Dec	54	68	39	33	40	33		

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LAC Control Chart

CARRAMATTA

STREET OFFENCE



Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	144	2002-04	300	-156	Down 2B	340	-196

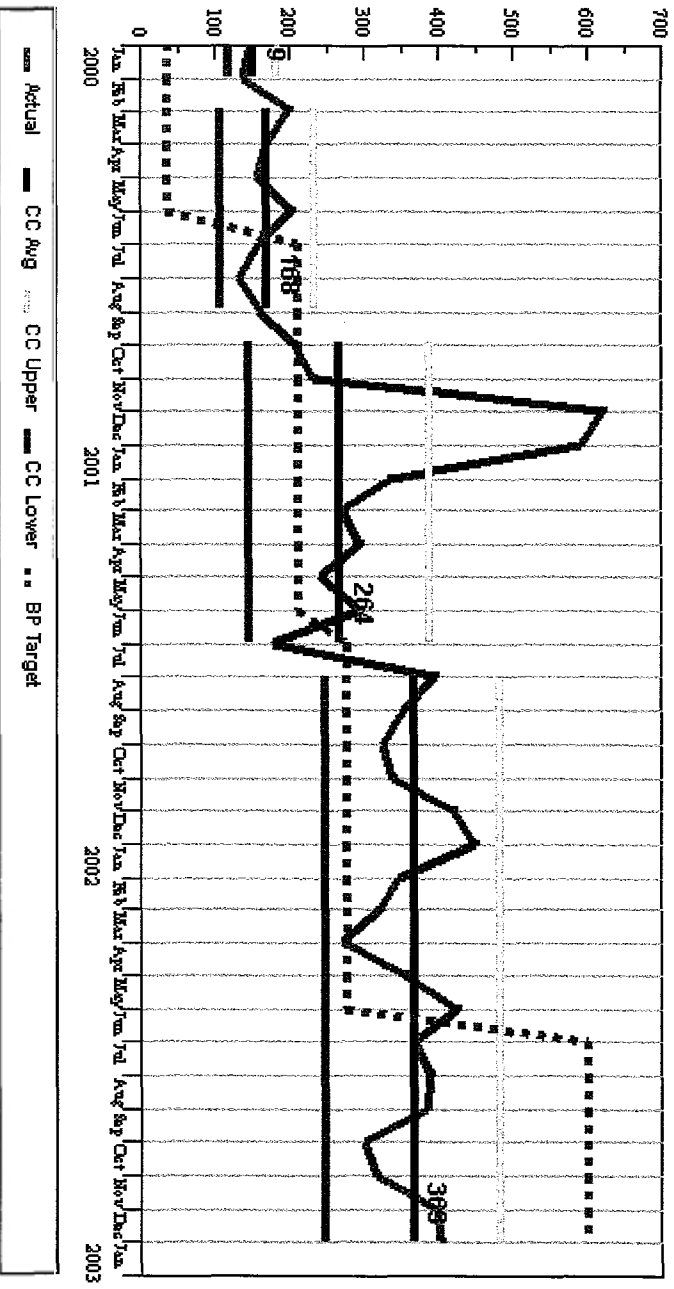
	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	64	41	96	111	465	300	108	144
Feb	52	41	169	156	314	300		
Mar	38	41	132	156	237	300		
Apr	48	41	167	156	266	300		
May	41	41	175	156	172	144		
Jun	43	41	138	156	159	144		
Jul	37	41	367	417	135	144		
Aug	24	41	411	417	148	144		
Sep	62	111	426	417	138	144		
Oct	126	111	445	417	170	144		
Nov	127	111	438	417	158	144		
Dec	142	111	520	300	107	144		

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LAC Control Chart

CARRAMAUTA

TRAFFIC OFFENCE



Current Period	Current CC Avg	Previous Period	Previous CC Avg	CC Avg Change	Status	BP Target	Target Change
2003-01	363	2001-07	264	99	Up 2A	600	-237

	2000		2001		2002		2003	
	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg	Actual	CC Avg
Jan	147	149	592	264	448	363	401	363
Feb	136	149	333	264	344	363		
Mar	200	188	269	264	321	363		
Apr	169	188	295	264	269	363		
May	157	168	241	264	354	363		
Jun	203	168	295	264	423	363		
Jul	160	168	177	264	366	363		
Aug	131	168	393	363	389	363		
Sep	158	169	350	363	383	363		
Oct	204	264	324	363	300	363		
Nov	233	264	338	363	316	363		
Dec	622	264	417	363	396	363		

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