



# MEDIA RELEASE

Hon. John Hatzistergos MLC  
Attorney General  
Minister for Justice

---

**Embargoed until Sunday, August 3, 2008**

## **NEW LAWS TO TRACK TERRORISTS DOWN**

Special new surveillance powers have been given to NSW Police, which will aid its investigations into terrorist organisations and organised crime groups, Attorney General John Hatzistergos announced today.

The *Surveillance Devices Act 2008* commenced on Friday (1 August 2008) and will allow surveillance warrants to be used by police during cross border operations once the legislation has been recognised by participating jurisdictions.

Mr Hatzistergos said the use of emerging technologies, including listening devices, optical devices, tracking devices and data surveillance devices, used to monitor and record information on a computer, have also been regulated by the new law.

"This will mean that law enforcement officers will be able to obtain one warrant for a range of new devices, with the warrant applying in NSW and other participating states and territories," said Mr Hatzistergos.

"The duration of warrants will also be extended from 21 to 90 days, cutting red tape for police who won't have to continually re-apply for them."

Mr Hatzistergos said the laws will eliminate the need to seek warrants against persons located in other states and territories and will allow law enforcers to exploit technology advances.

"To adequately track and prosecute terrorists, we need to be able to monitor computers, as well as be able to watch and listen with whatever means available," he said.

Mr Hatzistergos said to prevent serious crimes the law also gave police "emergency" powers to immediately begin electronic monitoring a premises or person of interest.

"The law says emergency powers may be used if there is an imminent threat of serious violence or substantial damage to property, or if a serious narcotics offence will be committed."

He said incidents where devices were immediately employed, police would have a limited time frame to have a warrant retroactively applied by a judge.

The law, which supersedes the *Listening Devices Act 1984*, is based on national laws agreed to by Australia's Police Ministers and Attorneys General.

The Surveillance Devices Act will:

- Enable law enforcement officers to obtain warrants or emergency authorisations for surveillance devices;
- Ensure that Police can act immediately where there is an imminent threat of serious violence to a person or substantial damage to property;
- Protect members of the public from the illegitimate use of surveillance devices;
- Regulate the installation, use, maintenance and retrieval of surveillance devices;
- Establish procedures to obtain warrants or emergency authorisations for surveillance devices;
- Create offences relating to the improper installation or use of surveillance devices;
- Impose requirements for the secure storage and destruction of records and reporting to parliament;
- Recognise warrants and emergency authorisations issued in other jurisdictions.

Warrants or emergency authorisations issued under the new law will permit the use of surveillance devices:

- On specified premises or vehicles;
- On specified objects, such as containers and boxes that might be moved around in a drug manufacturing operation;
- On or about the body of a specified person such as an undercover officer.

**Media Contact: Simon Crittle 0400 477 924**