

**REPORT ON THE RESULTS OF THE
INSPECTION OF THE RECORDS OF THE
CRIME AND CORRUPTION COMMISSION
PURSUANT TO SECTION 362 OF THE
*POLICE POWERS AND RESPONSIBILITIES ACT 2000***



**OFFICE OF THE
PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER**

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INTRODUCTION

1. Chapter 13 of the *Police Powers and Responsibilities Act 2000* (PPRA) gives the Crime and Corruption Commission (CCC) power to obtain surveillance device warrants for criminal investigations including investigations extending beyond the borders of this State. Surveillance device warrants authorise the installation and use of listening devices, optical surveillance devices and/or tracking devices in premises, dwellings, vehicles or other objects for the purpose of criminal investigations.
2. Chapter 13 of the PPRA prescribes the procedure to be followed in order to obtain from a court, surveillance device warrants, retrieval warrants and approvals for the exercise of powers under emergency authorisations for the use of surveillance devices.
3. Amendments to the PPRA made by the *Counter-Terrorism and Other Legislation Amendment Act 2017* also enabled senior officers of the Queensland Police Service (QPS) to authorise the installation, use, maintenance and retrieval of tracking devices in certain circumstances.
4. Essentially, Chapter 13 of the PPRA is a code for the use and regulation of surveillance device warrants, retrieval warrants, emergency authorisations and tracking device authorisations. Unless otherwise stated, all sections referred to in this report are sections of the PPRA.
5. Section 361 states that the CCC Chairperson and the Police Commissioner must each keep a register of surveillance device warrants, retrieval warrants and emergency authorisations. Section 362(1) requires that:

The inspection entity for a law enforcement agency must, from time to time, inspect the records of the law enforcement agency to decide the extent of compliance with this chapter [Chapter 13] by the agency and law enforcement officers of the agency.

6. Section 322 defines the inspection entity for the CCC to be the Parliamentary Crime and Corruption Commissioner. Pursuant to s.363 the Parliamentary Crime and Corruption Commissioner is required to make written reports to the Chairperson of the Parliamentary Crime and Corruption Committee on the results of each inspection under s.362 at six-monthly intervals. This is the thirty-eighth such report and it covers the period from 8 May to 4 December 2025 (the relevant period).
7. By letter dated 3 December 2025 I provided the CCC Chairperson, Mr Bruce Barbour, with written notice pursuant to s.362(2)(a) that I intended to commence an inspection of the CCC's surveillance device warrants records.
8. A schedule listing all warrants operational in the relevant period was obtained from the CCC's Information Management Section and the inspection of surveillance device warrants records was conducted on 4 December 2025.
9. I acknowledge the co-operation provided by the Chairperson and staff of the CCC in facilitating the inspection. Full and unrestricted access was provided to all records relevant to the inspection and all requests for information and assistance were promptly addressed.

RESULTS OF THE INSPECTION UNDER SECTION 362

OVERVIEW OF ACTIVITIES PURSUANT TO CHAPTER 13

10. At the conclusion of the last inspection of the CCC's surveillance device warrants records in May 2025, the use of surveillance devices under warrant WRC-25-004 had recently been discontinued and some documents had not been received in the Information Management Section. The records for this warrant were inspected again in this inspection.
11. The CCC did not apply for any surveillance device warrants or retrieval warrants in the relevant period.
12. No emergency authorisations for the use of surveillance devices were sought pursuant to s.343.

COMPLIANCE WITH THE PROVISIONS OF CHAPTER 13 OF THE PPRA

Section 335 - Discontinuance of use of surveillance device under warrant

13. Section 335 sets out the procedure to be adopted for the discontinuance of the use of surveillance devices under surveillance device warrants.
14. Pursuant to s.335(2):

If the senior officer to whom the warrant is issued, or the law enforcement officer who is primarily responsible for executing the warrant, believes that use of a surveillance device under the warrant is no longer necessary for the purpose of enabling evidence to be obtained of the commission of the relevant offence or the identity or location of the offender, the officer must inform the chief executive officer¹ of the law enforcement agency immediately.
15. Prior to the expiry of surveillance device warrant WRC-25-004, it was determined that the use of surveillance devices under the warrants was no longer necessary and the use of the devices was discontinued under s.335.
16. The appropriate officer immediately notified the Senior Executive Officer, Crime, who has been delegated the Chairperson's powers and functions under s.335.² The necessary written directions were provided in accordance with s.335(3)(a) and the written notice to the PIM were given in accordance with s.335(3)(b). Copies of the written directions and notice were placed on the register with the other documents relating to the warrant. The CCC fully complied with s.335.

Section 357 - Report to judge or magistrate (compliance affidavits)

17. Section 357 states that:
 - (1) A law enforcement officer to whom a warrant is issued, or who is primarily responsible for executing a warrant issued, under this chapter must make a report as required under this section.

¹ Schedule 6 of the PPRA defines the chief executive officer of the CCC to be the CCC Chairperson.

² Section 270 of the *Crime and Corruption Act 2001* provides that "*The chairperson may delegate the chairperson's powers under this or another Act, other than under the Police Powers and Responsibilities Act 2000, section 674, to an appropriately qualified commission officer.*"

- (2) The report must be made to the judge or magistrate who issued the warrant or to the public interest monitor as stated in the warrant.
- (3) The report must be made—
 - (a) within the time stated in the warrant; or
 - (b) if the warrant is revoked before the end of the time stated in the warrant – as soon as practicable after the warrant is revoked and within the time stated in the warrant.
18. The terms of warrants obtained by the CCC require the s.357 reports to be provided to the PIM or Deputy PIM in the form of a sworn affidavit. These are commonly referred to as compliance affidavits since they document compliance with the terms of the warrants.
19. In the relevant period the CCC was required to prepare one compliance affidavit for surveillance device warrant WRC-25-004.
20. The compliance affidavit was provided to the PIM in accordance with s.357(2) and within the time stated in the warrant in accordance with s.357(3). The compliance affidavit contained all information prescribed by s.357(4).

THE CCC'S REGISTERS AND OTHER RECORDS

Section 361 - Register of warrants and emergency authorisations

21. There are a number of statutory provisions which govern the manner in which the CCC must maintain its records. Section 361(1) states that the CCC Chairperson must keep a register of warrants and emergency authorisations. Pursuant to s.361(3) the register must be, or form part of, the register of covert acts kept pursuant to s.664(1).
22. Section 664(1) requires that the CCC keep a register of covert acts. The PPRA defines “covert act” to include the making of an application under Chapter 13 and the exercise of powers under a surveillance device warrant or a retrieval warrant. Section 664(3) allows the CCC to keep this register in the way the Chairperson considers appropriate. For example, the register may be kept on a computer or partly on a computer and partly written, as long as the register is kept in a secure place. The register may form part of another register whether the other register is kept under the PPRA or another Act.
23. Since its inception, the CCC has maintained registers of all warrant applications as required by s.166 of the *Crime and Corruption Act 2001*. Separate registers are kept of warrant applications for crime investigations and for corruption investigations. Since the commencement of the provisions of Chapter 13 of the PPRA on 1 July 2006, the register required to be kept pursuant to ss.361 and 664 has formed part of the CCC's warrants register.
24. The CCC manages its obligations under the PPRA by maintaining the warrants register partly in electronic format and partly in hard copy. The electronic part of the register utilises the CCC's electronic document and record management system (EDRMS) and contains sufficient identifying data about each warrant to enable it to be productively searched and audited. Access to the electronic register is restricted to certain officers in the Information Management Section.
25. The hard-copy part of the warrants register consists of the originating paperwork (internal approvals and authorisations, applications, affidavits etc.), the original warrants, compliance affidavits and other associated documentation kept together in well-ordered document wallets in

a secure location. In the course of this inspection the hard copy part of the warrants register was reconciled with the electronic register to ensure the accuracy of the records.

26. I am satisfied that the CCC continues to fully comply with its obligations pursuant to Chapter 13 of the PPRA in the manner in which the register is maintained.

Section 668 - Information to be included in register for surveillance device warrants and retrieval warrants

27. Section 668 specifies the information which must be recorded in the register about surveillance device warrants and retrieval warrants.
28. Notwithstanding that most of this information is available through inspecting the documents kept on the registers (the applications, the warrants and the compliance affidavits), the CCC separately records the prescribed information on forms placed with the corresponding warrants on the registers.
29. In respect of surveillance device warrants and retrieval warrants, a Form 6a includes the information available at the time the warrant is issued, namely, those details referred to in s.668(a) to (d). A Form 6b is completed once the warrant is no longer operational and includes the details referred to in s.668(e) to (h).
30. The documentation kept on the register in respect of WRC-25-004 contained all the information prescribed by s.668.

Section 359 - Keeping documents connected with warrants and emergency authorisations

31. Section 359 lists the documents which the CCC must retain in relation to surveillance device warrants, retrieval warrants and emergency authorisations.
32. For the purposes of the inspection, the hard-copy register (the paperwork contained in the document wallets) was inspected to ensure that the CCC kept the prescribed documents for warrant WRC-25-004. Scanned copies of the documents are also retained electronically in the EDRMS.
33. The prescribed documents to be kept for each warrant may include: the application for the warrant, variation or extension (s.359(e)(i) or (ii)), the warrant itself (s.359(a)), each notice of revocation of a warrant given to the Chairperson (s.359(b)) and, once the warrant is no longer operational, the report or compliance affidavit made under s.357 (s.359(f)).
34. The CCC's Information Management Section has checklists of the documents which must be kept for each warrant obtained under the *Crime and Corruption Act* or the PPRA. The checklist relating to surveillance device warrants and retrieval warrants includes the documents prescribed by s.359. The checklists are used to ensure that the registers contain all necessary documentation.
35. The CCC retained in its records all documents prescribed by s.359 for warrant WRC-25-004.

Section 360 - Other records to be kept

36. Section 360 lists other information and records which must be kept in relation to surveillance device warrants, retrieval warrants and emergency authorisations.

37. Section 360(a) requires that the CCC keep a statement as to whether each application made by a CCC officer for a warrant, variation, extension or revocation of a warrant, was granted, refused or withdrawn. The information required by s.360(a) was recorded in the CCC's warrants register for all applications made by the CCC in the relevant period.
38. Section 360 subsections (c), (d) and (e) require that the CCC keep details of the use and communication of information obtained by the use of surveillance devices and details of each occasion when information obtained by the use of surveillance devices was given in evidence in relevant proceedings.
39. The CCC keeps this information on schedules entitled "PPRA s360 – Use and communication register". The CCC maintains copies of these registers for each operation, updated for each surveillance device warrant.
40. A copy of the Use and Communication Register for warrant WRC-25-004 was provided and examined in the course of the inspection. Although it is not possible to establish whether every use and communication of information obtained by the use of surveillance devices has been recorded in the register, the register appears to include an appropriate level of detail concerning the use and communication of such information.
41. The final subsection, s.360(f), is discussed below at paragraph 48. It requires that the CCC keep details of the destruction of records or reports under s.354(2)(b).

Section 354 - Dealing with records obtained by use of surveillance devices

42. Pursuant to s.354(2)(a) the Chairperson must ensure that every record or report obtained by the use of a surveillance device under a warrant, emergency authorisation or tracking device authorisation is kept in a secure place that is not accessible to people who are not entitled to access or deal with the record or report.
43. All records or reports obtained by the use of surveillance devices under surveillance device warrants are stored electronically on a secure drive of the CCC's database. Access to records and reports on the secure drive relating to particular warrants or investigations is controlled by log-in details and passwords. In this way, access to records and reports is restricted to members of the investigative teams dealing with particular warrants or investigations, and CCC officers not entitled to access or deal with the records or reports are excluded.
44. The CCC's Information Management Section is a secure environment with effective access control procedures in place to protect the security of the hard copy surveillance device records. The records themselves are stored in locked cabinets, the keys to which are kept within another locked receptacle accessible only by the responsible officers.
45. Section 354(2)(b) states that the CCC Chairperson must ensure that any record or report obtained by use of a surveillance device under a surveillance device warrant is destroyed if the Chairperson is satisfied that the record or report is not likely to be required in connection with purposes set out in ss.352(3) and 353(1).
46. Over the last two years the Information Management Section has been involved in a project to identify records and reports for destruction. A spreadsheet was prepared listing all the surveillance device warrant records and reports which the Information Management Section has identified for consideration of disposal. The spreadsheet has been provided to Crime

investigation teams to determine whether the records and reports are required in connection with purposes set out in ss.352(3) and 353(1). That project remains ongoing.

47. In the previous reporting the CCC Chairperson signed the Disposal Authorisation Schedule indicating his satisfaction that records and reports for one large operation were not likely to be required in connection with the CCC's purposes. The CCC Chairperson advised that on 9 May 2025 he received confirmation that the material had been disposed of.
48. As noted above, s.360(f) requires that the CCC keep details of the destruction of records or reports under s.354(2)(b). The Information Management Section maintains the details of the destruction of records and reports obtained by use of surveillance devices in an electronic register. The Information Management Section confirmed that no further material had been destroyed since May 2025.

CONCLUSION

49. During the period covered by this inspection, the CCC and law enforcement officers of the CCC complied with the provisions of Chapter 13 of the PPRA in all respects.