



Dr. Victoria Sentas  
Faculty of Law, UNSW Sydney

Our Ref: IASU2019-2822

**By email:** v.sentas@unsw.edu.au

24 July 2019

Dear Dr. Sentas

***Government Information (Public Access) Act 2009 (NSW)***  
**Notice of Decision: Released in full**

**1. Summary of access application**

I refer to your access application made under the *Government Information (Public Access) Act 2009 (NSW)*, (GIPA Act).

I also refer to your email dated 24 July 2019 in which you have amended the scope of your request to the following

*"I confirm that the final date I will receive will exclude Q3 and Q7 as out of scope."*

**2. Searches for Information**

Under the GIPA Act, NSWPF must conduct reasonable searches to locate the government information you seek. A search of NSWPF records has been undertaken to identify all government information falling within the scope of your application. The results of these searches are listed in the Schedule of Documents included in this Notice of Decision.

**3. Decision**

I am authorised by the New South Wales Commissioner of Police to determine applications made under Section 9(3) of the GIPA Act. I have decided, under s 58(1)(a) of the GIPA Act, to provide you with the information sought in your application.

**4. Review rights**

If you are not satisfied with any of the decisions in this notice that are reviewable, you may exercise your review rights under Part 5 of the GIPA Act by requesting:

- an internal review of the decision which must be lodged within 20 working days of the date of this notice, or

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- an external review of the decision by the Information Commissioner or the NSW Civil and Administrative Tribunal (NCAT) which must be lodged within 40 working days from the date of this notice.

For further information on your review rights, please visit:

[https://www.ipc.nsw.gov.au/sites/default/files/file\\_manager/FS-Your-review-rights-June2014.pdf](https://www.ipc.nsw.gov.au/sites/default/files/file_manager/FS-Your-review-rights-June2014.pdf)

If you have any enquiries in relation to this decision, please contact me on (02) 8835 6888. In any return correspondence, please quote the InfoLink reference number stated at the top of this notice.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Kadian', with a horizontal line extending to the right.

R Kadian  
Review Officer  
InfoLink

# SCHEDULE OF DOCUMENTS

| InfoLink<br>Page No. | Document Description   | Format of Record | Location of record in agency |
|----------------------|--|------------------|------------------------------|
| 1.                   | Table detailing Custody episodes involving strip searches  | Electronic - PDF | State Intelligence Command   |
| 1.                   | Table detailing Children (aged 10-17) strip searched in custody                                  | Electronic - PDF | State Intelligence Command   |
| 1.                   | Table detailing Custody episodes involving a strip search by ATSI status                         | Electronic - PDF | State Intelligence Command   |
| 2-3                  | Table detailing ATSI people strip searched in custody by age                                     | Electronic - PDF | State Intelligence Command   |
| 3                    | Table detailing ATSI people strip searched in custody by age Strip searches resulting in charges | Electronic - PDF | State Intelligence Command   |

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TAB A

**GIPA 2019 2822 – STRIP SEARCHES****Question 1****Custody episodes involving a strip search**

| <i>Financial Year</i> | <i># Custody episodes</i> |
|-----------------------|---------------------------|
| 2016-17               | 9,469                     |
| 2017-18               | 9,381                     |
| 2018-19               | 6,827                     |

**Question 2****Children (aged 10-17) strip searched in custody**

| <i>Financial Year</i> | <i># Custody episodes</i> |
|-----------------------|---------------------------|
| 2016-17               | 214                       |
| 2017-18               | 260                       |
| 2018-19               | 172                       |

**Question 3**

SST is unable to provide data for this question as this information is not captured in fixed fields and thus cannot be extracted without manually investigating each custody episode.

**Question 4****Custody episodes involving a strip search by ATSI status**

| <i>Financial Year</i> | <i>ATSI Status</i> | <i># Custody episodes</i> |
|-----------------------|--------------------|---------------------------|
| 2016-17               | ATSI               | 2,141                     |
|                       | Non-ATSI           | 7,017                     |
|                       | Unknown            | 311                       |
|                       | Total              | 9,469                     |
| 2017-18               | ATSI               | 2,081                     |
|                       | Non-ATSI           | 6,994                     |
|                       | Total              | 9,381                     |
|                       | Unknown            | 306                       |
| 2018-19               | ATSI               | 1,583                     |
|                       | Non-ATSI           | 5,040                     |
|                       | Unknown            | 204                       |
|                       | Total              | 6,827                     |

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## Question 5

## ATSI people strip searched in custody by age

| Age | 2016-17 | 2017-18 | 2018-19 |
|-----|---------|---------|---------|
| 12  | 2       | 1       |         |
| 13  | 1       | 3       | 3       |
| 14  | 11      | 11      | 6       |
| 15  | 18      | 10      | 12      |
| 16  | 20      | 31      | 18      |
| 17  | 24      | 27      | 23      |
| 18  | 42      | 32      | 40      |
| 19  | 59      | 62      | 50      |
| 20  | 50      | 51      | 40      |
| 21  | 61      | 56      | 47      |
| 22  | 57      | 64      | 50      |
| 23  | 68      | 58      | 56      |
| 24  | 71      | 80      | 59      |
| 25  | 88      | 80      | 59      |
| 26  | 74      | 90      | 43      |
| 27  | 80      | 84      | 57      |
| 28  | 92      | 77      | 39      |
| 29  | 76      | 92      | 58      |
| 30  | 85      | 80      | 58      |
| 31  | 78      | 53      | 69      |
| 32  | 75      | 72      | 53      |
| 33  | 88      | 71      | 59      |
| 34  | 66      | 65      | 54      |
| 35  | 60      | 75      | 43      |
| 36  | 60      | 74      | 52      |
| 37  | 76      | 58      | 49      |
| 38  | 64      | 57      | 46      |
| 39  | 49      | 69      | 45      |
| 40  | 50      | 45      | 33      |
| 41  | 46      | 52      | 34      |
| 42  | 44      | 36      | 40      |
| 43  | 43      | 40      | 38      |
| 44  | 46      | 33      | 28      |
| 45  | 42      | 27      | 22      |
| 46  | 56      | 38      | 23      |
| 47  | 46      | 45      | 22      |
| 48  | 30      | 44      | 27      |
| 49  | 31      | 19      | 26      |
| 50  | 17      | 20      | 18      |
| 51  | 19      | 18      | 10      |
| 52  | 8       | 7       | 5       |

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|              |              |              |              |
|--------------|--------------|--------------|--------------|
| 53           | 5            | 9            | 7            |
| 54           | 3            | 14           | 7            |
| 55           | 5            | 6            | 5            |
| 56           | 4            | 1            | 4            |
| 57           | 5            | 4            | 5            |
| 58           | 5            | 3            | 3            |
| 59           | 2            | 5            | 2            |
| 60           |              | 2            | 1            |
| 61           | 2            | 2            | 1            |
| 62           | 2            |              |              |
| 63           |              | 1            | 5            |
| 64           | 1            |              | 2            |
| 66           | 1            |              | 3            |
| 67           |              | 1            |              |
| 73           |              |              | 2            |
| Unknown      | 33           | 26           | 22           |
| <b>Total</b> | <b>2,141</b> | <b>2,081</b> | <b>1,583</b> |

## Question 6

## Strip searches resulting in charges

| Body of Law                          | Section Part Description | 2016-17 | 2017-18 | 2018-19 |
|--------------------------------------|--------------------------|---------|---------|---------|
| Drug Misuse and Trafficking Act 1985 | s25 or s25A              | 213     | 243     | 280     |
|                                      | s29                      | 0       | 0       | 0       |
|                                      | s10                      | 1,035   | 1,371   | 1,247   |
|                                      | cannabis only*           | 143     | 157     | 156     |
|                                      | no other offence^        | 93      | 115     | 103     |
| Weapons Prohibition Act 1998         | s7                       | 18      | 21      | 27      |

\* searches resulting in a drug possession charge for cannabis only (excludes charges for multiple drug types). Some charges may also have other non-drug possession offences.

^searches resulting in a drug possession charge for cannabis only, and the charge does not include any other non-drug possession offence.

Note, charges have been identified by looking at the event with the strip search and all charges related to the event. This may include charges that did not result from the strip search, but from another incident in the same event.

## Question 7

SST is unable to provide data for this question as it is not possible to ascertain whether the charge arose from the custody strip search or from the arrest which resulted in the custody episode without manually investigating each custody episode.

## Sources:

Custody data: NSWPF Custody Management System extracted via EDW on 10/07/19

Field data: NSWPF Computerised Operational Policing System extracted via EDW on 11/07/19

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Ms. Samantha Lee  
Redfern Legal Centre

Our Ref: IASU2019-2807

By email: [sam@rlc.org.au](mailto:sam@rlc.org.au)

26 July 2019

Dear Ms. Lee

***Government Information (Public Access) Act 2009 (NSW)***  
**Notice of Decision: Released in full**

**1. Summary of access application**

I refer to your access application made under the *Government Information (Public Access) Act 2009 (NSW)*, (GIPA Act).

**2. Searches for Information**

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**3. Decision**

I am authorised by the New South Wales Commissioner of Police to determine applications made under Section 9(3) of the GIPA Act. I have decided, under s 58(1)(a) of the GIPA Act, to provide you with the information sought in your application.

**This is a supplementary decision and information released is in addition to the information released on 25 July 2019.**

**4. Review rights**

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| 1                    | Table 2 - A list of the 'reasons' recorded for a strip for all recorded strip searches conducted for the following financial years: 2015-16, 2016-17, 2017-18 & 2018-19                      | Electronic - PDF | NSW/PF Computerised Operational Policing System (COPS) |
| 2                    | Table 3 - A break-down of the age of the total number of Aboriginal and Torres Strait Islander persons strip searched for the following financial years: 2015-16, 2016-17, 2017-18 & 2018-19 | Electronic - PDF | NSW/PF Computerised Operational Policing System (COPS) |

**Official Use Only**

**Table 2.** A list of the 'reasons' recorded for a strip for all recorded strip searches conducted for the following financial years: 2015-16, 2016-17, 2017-18 & 2018-19.

| <b>Reason for Person Search</b>          | <b>2015-16</b> | <b>2016-17</b> | <b>2017-18</b> | <b>2018-19</b> |
|--|----------------|----------------|----------------|----------------|
| Ensure Cannot Escape Custody             | 40             | 21             | 24             | 15             |
| Ensure Does Not Harm Self Or Others      | 58             | 48             | 47             | 27             |
| Firearm Prohibition Order                | 5              | 2              |                | 3              |
| Intoxicated Person                       | 15             | 12             | 17             | 19             |
| Knife/Weapon Used/Intended To Be Used    | 53             | 37             | 43             | 34             |
| Other                                    | 40             | 30             | 35             | 24             |
| Possess Dangerous Impl In Place/School   | 3              | 3              | 1              | 6              |
| Possession Of Firearm/Explosives         | 30             | 26             | 11             | 9              |
| Possn Item In Connection With An Offence | 201            | 185            | 205            | 152            |
| Possn Property Stolen/Unlawfully Obtain  | 174            | 113            | 123            | 96             |
| Suspected Possession Of Drug Implement   | 70             | 79             | 51             | 53             |
| Suspected Possession Of Illegal Drug     | 4,359          | 3,868          | 4,897          | 4,930          |
| Suspicion Of Possess/Use A Laser Pointer | 1              | 1              | 3              | 2              |
| Tool/Implements Used/Intended To Be Used | 27             | 30             | 22             | 8              |

Note. The reasons listed are chosen by police officers from a drop-down option list and do not capture all the reasons for any specific strip search and of themselves do not necessarily capture the full context that gave rise to a strip search.

**Official Use Only**

**Table 3.** A break-down of the age of the total number of Aboriginal and Torres Strait Islander persons strip searched for the following financial years: 2015-16, 2016-17, 2017-18 & 2018-19.

| Age | Count |
|-----|-------|
| 10  | 1     |
| 11  | 2     |
| 12  | 2     |
| 13  | 6     |
| 14  | 13    |
| 15  | 17    |
| 16  | 22    |
| 17  | 19    |
| 18  | 29    |
| 19  | 35    |
| 20  | 52    |
| 21  | 49    |
| 22  | 56    |
| 23  | 55    |
| 24  | 60    |
| 25  | 66    |
| 26  | 66    |
| 27  | 57    |
| 28  | 56    |
| 29  | 69    |
| 30  | 42    |
| 31  | 36    |
| 32  | 59    |
| 33  | 67    |
| 34  | 52    |
| 35  | 32    |
| 36  | 36    |
| 37  | 37    |
| 38  | 38    |
| 39  | 38    |
| 40  | 49    |
| 41  | 27    |
| 42  | 31    |
| 43  | 30    |
| 44  | 16    |
| 45  | 28    |
| 46  | 23    |
| 47  | 23    |
| 48  | 17    |
| 49  | 11    |
| 50  | 7     |
| 51  | 9     |
| 52  | 7     |
| 53  | 4     |
| 54  | 1     |
| 55  | 3     |
| 56  | 5     |
| 57  | 1     |
| 58  | 1     |
| 59  | 1     |
| 60  | 1     |
| 62  | 1     |
| 63  | 1     |
| 64  | 1     |
| 65  | 1     |
| 66  | 1     |
| 69  | 1     |
| 75  | 1     |

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