

LAW REFORM, DRUGS AND CRIME PREVENTION COMMITTEE
**Inquiry into the supply and use of methamphetamines, particularly ice,
in Victoria**

Shepparton — 25 February 2014

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The CHAIR — I welcome everyone to this public hearing. My name is Simon Ramsay, and I chair the joint parliamentary Law Reform, Drugs and Crime Prevention Committee. We are in Shepparton this morning to take evidence from witnesses during the day in relation to an inquiry which the Parliament has referred to us into the supply and use of methamphetamines, particularly ice, in Victoria. With us this morning we have Superintendent Mick Sayer, superintendent of eastern region, Goulburn Valley division 3, and Detective Inspector Paul Maher, Victoria Police. Thank you both very much for joining us. We have here the full membership of the Law Reform, Drugs and Crime Prevention Committee of the Parliament. I will just read you the conditions under which you are providing evidence to this parliamentary inquiry this morning, so bear with me for a minute.

Welcome to the public hearing of the Law Reform, Drugs and Crime Prevention Committee. All evidence taken at this hearing is protected by parliamentary privilege as provided by the Constitution Act 1975 and further subject to the provisions of the Parliamentary Committees Act 2003, the Defamation Act 2005 and, where applicable, provisions of reciprocal legislation in other Australian states and territories. It is important that you note that any comments that you make outside the hearing, including effective repetition of what you have said in evidence, may not be afforded such privilege. Have you received and read the guide for witnesses presenting evidence to Parliamentary committees?

Supt SAYER — Yes, I have.

The CHAIR — It is also important to note that any action that seeks to impair or hinder a witness or threaten a witness for the evidence they would give or have given may constitute and be punishable as contempt of Parliament. We are recording the evidence and we will provide a proof version of the Hansard transcript at the earliest opportunity so that you can correct it as appropriate.

We have allotted until 10 o'clock for this session. In the past committee members have liked to ask questions rather than just hearing statements from our witnesses. I understand you are happy to table a written submission or notes that you brought with you this morning. Thank you for that. I certainly encourage you to make some introductory statements, and then obviously the committee would like to tease out some of the questions that it has been seeking answers to. Thank you, Mick.

Supt SAYER — I am the divisional commander for Goulburn Valley Region division 3 of eastern region, so that is the eastern half of the state. I am responsible for three police service areas, being the Shepparton police service area, the Benalla police service area and the Mitchell police service area. The Shepparton police service area is basically the Greater Shepparton council area or council boundary. It is also the divisional headquarters and it includes a criminal investigation unit, a crime scene unit, proactive areas which include our divisional information unit, our Aboriginal community liaison officers, our crime prevention officers, a family violence unit and a sexual offences investigation unit. We also have police stations at Dookie, Murchison and Tatura. Dookie and Murchison are one-manners; the Benalla PSA comprises Benalla, Mansfield, Mount Buller, Mount Stirling and Murrindindi LGAs.

The Benalla police station is a 24-hour police station. We have a water police office at the Benalla police station, a criminal investigation unit and proactive areas. We have the Mansfield police station, the Mount Buller police station, and the Jamieson and Woods Point stations, which are one-manners. In the Murrindindi shire we have Eildon, Marysville, Alexandra, Yea, Kinglake and the Alexandra CIU. In Mitchell we have the Strathbogie and Mitchell LGAs and the Seymour police complex, which is a 24-hour police complex. We also have a CIU there and proactive areas. We have police stations at Nagambie, Wallan, Kilmore, Broadford, Violet Town and Pyalong — Violet Town and Pyalong are one-manners. I have a full-time equivalent of 399 staff. I have had an increase over the last 12 months of nine staff — so 12 months ago we had 390 — and that occurred through the 1700 additional police. As a division we transitioned into the advancing investigation model in September last year, and that changed a lot of the ways in which we record and manage our investigations. We have been recently reviewed, and we are fully compliant with that.

One of the other major changes for the organisation over the last two years has been a change to the Victoria Police intelligence doctrine. That has changed the way we record intelligence and manage intelligence. That is probably quite significant around this hearing, and you may have heard it from other police commanders, but prior to transitioning to those two models a lot of our data did not separate a lot of the offences and a lot of the intelligence that we had. So there are gaps in previous years, but the holes have been filled over the last couple of years through our change to a new model and a better recording system. The priority rating system lists our top six risks in our division as assault family violence, property damage, road trauma, assault non-family violence, burglary — residential burgs — and theft other. We recently did an intelligence brief in relation to methamphetamine, particularly ice, and the key findings from that were that we have rapidly increasing methamphetamine offences within our division. There has been a 150 per cent increase in the last 12 months.

Mr SCHEFFER — What is that in numbers?

Supt SAYER — In numbers, for ‘possess ice’ in 2013 there were 61 offences; as opposed to 30 offences in 2012. In relation to traffic, in 2013 there were 38 offences; as opposed to 29 in 2012. In relation to use — and this is particularly ice — it was eight in 2013 and nine in 2012. So our members are increasingly exposed to the use of methamphetamine and ice users. When attending crimes such as serious assaults our member knowledge around methamphetamines is limited, and that presents a risk to them. It is highly likely methamphetamine use is widespread within vulnerable communities such as unemployed and Aboriginal communities, and it is likely to be a driver of our increased property crime. They are the key findings from that intelligence document. Notes in relation to that will be part of the document I table today.

One of the key findings from that intelligence brief was the significant increase in intelligence reports that we have had over the last couple of years. Again I reflect on the change to the models we use, because in the past there was not a high focus on the recording and management of information that came in in intelligence. But, for example, in 2011 we had 59 intelligence reports that came in around ice particularly. In 2012 that jumped to 154 intelligence reports, and then in 2013 there were 202 intelligence reports. So there has been a significant focus on recording that intelligence and using that information, but it also shows that there is an increased awareness around ice in the community and the frequency with which police come in contact with people. As with the rest of the state, the purity of the ice that we are seeing is around 80 per cent on average.

I will table some data and tables in relation to the intelligence reports, and I will go through some of the highlights from those. Ice appears to be the drug of choice. This may be due to users having more overt reactions to the drug. Anecdotally our Shepparton members are seeing methamphetamine use escalating within the PSA. Prior to the last two years the heavy drug of choice was speed. This is now minimal. Our tasking unit at Shepparton only found speed on three occasions in the last 12 months. However, they are locating ice on a regular basis. It has been found that dealers obtain a quantity of ice and onsell it in smaller quantities very quickly, before restocking and selling again. It is likely that they use that method to prevent police, when executing warrants, from finding larger quantities in their possession.

Alcohol is still a concern for the division, and specifically in family violence. We are coming across alcohol as a key driver in family violence. It is interesting to note that in the data we record in relation to drug-affected persons involved in family violence — and it does not break down the types of drugs — in 2013, out of 2382 family violence reports 689 of those involved a perpetrator affected by drugs. So it is a significant number and a significant driver of family violence for us. Anecdotally, we see more and more use of ice in the community, and that would play a major role in that.

The demographics of the division: it is a working-class area; there are many farms; there are labourers, factories and industrial areas; we have significant housing industry areas also and a lower socioeconomic status in general. In the past this has probably led to a popularity of alcohol and cannabis and speed use. However, in the last two years we have seen an increase in the prevalence and use of ice, being that drug of choice.

Prices that we are seeing for a point of ice, which is 0.1 of a gram, are between \$80 and \$100. When dealers are buying it they are usually buying it by the gram at a price anywhere between \$500 and \$700, and then they are breaking it down.

I can continue to go through this, or would you like to go with questions?

The CHAIR — Mick, I am not sure if Paul wants to say a few words, but I am of the view that your information is very consistent with what we have heard from other regional hearings, so it might be more beneficial for us to perhaps ask some questions of you on matters that have come out of different inquiry public hearings, if that is all right. I will perhaps invite Detective Inspector Maher, if he would like to say some words, and then perhaps I will open it up to the committee.

Det. Insp. MAHER — I have a previous background at the Victoria Police drug task force and also with what was then known as regional response units, which are now divisional tasking units, which were involved particularly in drug investigations. Over recent years I have particularly seen an increase in the use and trafficking of ice. I am just noting the document, the questions which the parliamentary committee would like addressed. In particular I suggest to the committee that in the past alcohol and cannabis, rather than hard drugs such as heroin, were most likely used in Shepparton.

From personal experience with ice users, the majority of people will use ice by smoking it through a pipe. I presume you would know all this information anyway. But it seems to be that in particular with heroin and speed in the past, which were quite prevalent, the most common use was injecting, and people were referred to as a 'junkie' and it had a bit of a stigma attached to it, whilst with taking pills or smoking the substance it does not appear to have that stigma, which tends to make it more popular.

Just also noting in relation to other drugs it is used with and also sporting environments, once again it is reasonably common knowledge that if you go to a nightclub, it is quite expensive. If you drink a lot of beer or bourbon and Coke it tends to put on weight, so for athletes and sportsmen in particular, rather than putting on weight, drinking copious amounts of beer and waking up with a hangover, if they take a substance like ice they do not have the problems with weight associated with it and they do not wake up with a terrible hangover the next day. I have no doubt that is an issue in the sporting clubs throughout the country, and obviously within the Goulburn Valley area.

There is another point I would like to bring up in relation to other offences which are committed in relation to the drug. In recent times in particular I have been noting custody issues. With the amount of people we have in custody and in cells, whenever there is an incident occurring in police cells it is recorded on what is called an 'incident fact sheet'. I have noticed a large increase in behavioural problems of persons in custody, and it is quite often noted that these people are coming down from ice. So it is obviously a health problem as well. We have these people in custody, and they are suffering the effects of withdrawal from ice. We are then having assaults in the cells amongst other persons in custody, and police officers are also involved, which is causing us issues.

Also there has been a large rise in aggravated burglaries in the division in the last 12 months — I think it is up about 30 per cent. Although this is not specifically recorded, it is apparent that a number of these aggravated burglaries are caused by what are commonly referred to as 'run-throughs', where there will be a drug debt owed or someone will know that there are drugs in that house and they will do a run-through, so to speak, possibly armed, to take cash or money. The difficulty with this is that the victim is not usually going to come forward to police and say, 'It's in relation to a drug debt' or 'They've stolen my drugs'. So that is what we are attributing to an increase in aggravated burglaries within the division. They are just a few points I would like to make, and I am happy for any questions.

The CHAIR — Thank you. I might, if I may, set the tone, because we were asked specifically to come to Shepparton as part of our regional public hearings because there was a view by the community that the use of ice is out of control. We have heard from different witnesses over about

five or six months now in relation to the impact it is having on family — family units and structures — and we have heard, as Mick has outlined, much of the history around crystal meth, particularly in relation to its use, its distribution et cetera.

I guess, for me, I need to get down to the nuts and bolts of what we do about it, and we are here as a committee tabling a report to Parliament with recommendations the government has to respond to. So I am going to get to the nitty-gritty of all this. New South Wales, we have been told, has stricter penalties in relation to the use of appliances used for smoking crystal meth, it has stricter penalties for those who are actively dealing in that space, and there are problems associated with cross-jurisdictions between New South Wales and Victoria in relation to unexplained wealth and other things.

I need you to tell us as a committee what you would consider would be appropriate recommendations in a legislative sense to help stamp out this curse, because we heard from families yesterday who know that dealers are actively dealing in particular areas, but there seems to be little response from the police. Is there a Dob in a Dealer program that needs to be initiated again, the better use of Crime Stoppers, heavier penalties imposed on those who are using the appliances? That is the area that we are interested in — for me, anyway, and I am sure the committee members will speak for themselves in relation to trying to extract what we can do as a committee to make a difference to people's lives that are actually being ruined. That is where I am at, so I invite either of you to respond to that, then I will ask Mr Scheffer to pose a question.

Supt SAYER — I guess there are a couple of facets around that. There are obviously the health issues that surround that, and the referral processes, and also the court system with diversions. We have had a real focus on disruption; Victoria Police has, over the last 12 months, really gone into a strategy around disruption. Rather than long-winded operations, which take a significant investment of resources, we are going in at a point and disrupting those activities. That has been a focus of the division here. I think the harm to the community through a prolonged investigation is considerable and the results are sometimes negligible. The focus within the division has been that we get information around 'dob in a druggie'. Information comes to us through various sources. We look at that, we get enough to act on and we act on it. That makes a significant difference. In many cases that is a better approach in relation to reducing harm than a prolonged, expensive and resource-intensive investigation.

The other issue for me is that in a rural setting we have major highways, and we know the transport of drugs and other contraband is on those major highways between the states. We are on a small island, and those vehicles between states go between manufacture and import of contraband. It has got to get to the end user, and it is on our roads. About three years ago I went over to the US and Canada to look at a program they have over there called highway criminal interdiction. It is known as Operation Pipeline in Canada and the US, and it is aimed at disrupting the travelling criminal. We brought it here to Victoria and have slowly rolled it out. It is a statewide operation, and it has now been rolled out in New South Wales. We train our members in identifying key indicators of criminal behaviour when they intercept a vehicle. What we are finding on our major highways is that there are drugs coming down between states, and they are being concealed in various manners within vehicles, trucks, transport vehicles and passenger vehicles.

We have a key opportunity within a rural environment to disrupt crime. When we look at what is happening in the US and Canada with major highways and major interstate routes, we can see they have a significant intelligence build-up there through operating in the criminal interdiction space. They understand when money is running on their highways, and they understand when the drugs are running. We are not at that level of knowledge at this stage, but I see that type of interruption and that type of strategy as a really strong activity in building intelligence and also in disrupting the transport of drugs or other contraband between states.

Within my division over the last six months we have dedicated units on shifts to those major highways, and as recently as last week we intercepted vehicles with ice. The last vehicle had 7 grams of ice concealed inside. Cannabis is being found as well, but predominantly now it is ice that we are finding in vehicles that are travelling between the states. Smaller user amounts are

found within the transport industry, but as our members get more educated around concealment locations they are starting to find larger quantities.

Mr McCURDY — In that same vein, in terms of clan labs, is there evidence to suggest there is production locally?

Supt SAYER — Paul and I have discussed this. As far as evidence of clan labs goes, we have had two in the last 18 months. Paul can speak about the reasons why we have only had two identified in the last 12 months from his experience with the major drug task force. One was discovered in Shepparton and one in Wallan.

Det. Insp. MAHER — I can elaborate further. With your clandestine laboratories, traditionally they would be set up in a house and would be rather sophisticated. If it was based in the one place for long enough and we gathered enough intelligence, we could usually execute a search warrant and locate it. Particularly from my experience with the clan labs squad and the drug task force, there appears to be a lot more what we call box labs. They are mobile. A box lab could be in a caravan or in the back of a ute, and it will be driven to a remote location in the bush somewhere. They will do the cook, and by the time we may have received information they have packed up and gone. That is certainly an issue we face in relation to laboratories.

If you like I will address some of the issues you raised before, Mr Ramsay, in relation to implements. At the moment it is only an offence to sell the implements, so a shop cannot have a smoking implement in possession for sale. In other jurisdictions it is an offence to be in possession of a smoking implement, so you have your crack pipe or ice pipe as they are referred to and even a bong which is used to smoke cannabis. If we intercept someone with that in their car, it is no offence at the moment. I am not here to go into it in depth, but that obviously has its problems — for example, if you outlaw someone being in possession of a bong from a shop, they can make them out of orange juice containers and items from a hardware store. That is just something to consider.

In relation to penalties I will refer to legislation and in particular to amounts in possession for trafficking. At the moment in Victoria if you are in possession of more than 3 grams of an amphetamine-type substance — being methylamphetamine or amphetamine — that is classed as a prima facie trafficable quantity. On the face of it that is a trafficable quantity, but it is for the police to prove they have it in their possession for trafficking. We would also need other evidence such as text messages on the person's phone indicating transactions; what we refer to as 'tick sheets' — people's names with amounts and numbers next to them of what they owe; scales; or plastic bags. If we can get all those items with that 3 grams, we will then have enough evidence to charge them with that. The problem we have is, for example, if they are in possession of 50 grams of ice, it is still a prima facie trafficable quantity; it is not until it gets to 100 grams pure or 500 grams mixed. It could be that you have half a kilogram of ice, and if it is mixed with a cutting substance, we need to get over 500 grams to get to a commercial quantity. When you are talking about \$700 for a gram, that is \$350 000. Someone may have 50 grams of ice on them, which is potentially \$35 000 worth, walking down the streets of Shepparton, but unless we have these other bits of evidence such as tick sheets, text messages and scales we are having trouble getting support from the courts to convict those people with trafficking. If someone is in possession of 50 grams of ice compared to 3 grams, it is a huge difference and something that could be looked at legislatively.

Mr SOUTHWICK — Can you compare that to other jurisdictions you are aware of?

Det. Insp. MAHER — Not off the top of my head. I am unable to comment on that at this stage. In relation to penalties I am aware that suspended sentences are meant to be on their way out, but that has certainly been an issue in the past. I am talking from personal experiences of frustration at having charged people with trafficking a drug of dependence, they have been convicted by the courts and then escaped with a suspended sentence — for example, they have been given six months imprisonment suspended for two years. If they keep their nose clean for two years, they have effectively had no penalty. They will always have on their record that they were convicted and given a suspended sentence, but effectively if they keep their nose clean, there has been no penalty. But I think suspended sentences are being addressed.

Unexplained wealth is an absolute indicator maybe not of drug trafficking but obviously of some illicit activity. If someone has unexplained millions or hundreds of thousands of dollars in their account, then that is where we can work collaboratively with other agencies and the taxation department in particular.

In relation to Dob in a Dealer and Crime Stoppers, it is something we look at doing. Once a year we have the Dob in a Dealer campaign. Often we find that people will contact Crime Stoppers or contact police directly if they do have a problem, but Dob in a Dealer does seem to elicit further calls from people. Something you and Mick discussed earlier was in relation to information sharing. This is an issue I faced with a previous drug investigation where we gathered intelligence via a telephone intercept. The job is finished, so I can discuss it. We knew our target was telling her customers to go to a particular shop to buy the ice pipes. At the end of the investigation, once we had arrested everyone, we notified the relevant authority, which I think was the Office of Fair Trading or something similar at that time, that if they went to a certain shop they would find someone selling ice pipes, which it is an offence to do.

We recorded this in a register, which we are obliged to do legally if we are disclosing information that is gleaned from a telephone intercept. Unfortunately I erred in that I later found I was not allowed to pass that information on because the offence that had been committed was not serious enough for the information to be passed on. I got a slap over the wrist for releasing that information to another law enforcement agency, to enforce a criminal offence. That has to do with commonwealth legislation with the telephone interception, so it is obviously a difficulty. But as Mick and I spoke about earlier, it also came out last year in relation to the issues with gambling, the AFL and different law enforcement agencies being unable to share information, which is certainly a problem.

Supt SAYER — Just on that, there was a point that we discussed. When you look at federal intelligence sharing in the US in comparison to here in Australia, you could say there it is an open bucket of information for law enforcement agencies and here it is a number of closed shops. We can be doing an investigation here and if it does not raise the eyebrows of another law enforcement agency, they will never know about it. In the US they have EPIC, which is the El Paso Intelligence Centre, and that is a central repository for intelligence. A use of it, for example, is that a member in a state will be out on the road checking a person in a vehicle. They can contact EPIC directly from their vehicle and get national information around that subject that they are with. They can also record to that intelligence database there.

On a national perspective here, we do not have that. It is a small country, it is a small island and we are dealing with the same offenders predominantly, especially in this space, so it is a significant impediment to our investigative ability not only with policing law enforcement agencies but other agencies such as customs, VicRoads enforcement and the military police.

Mr CARROLL — What would you do, Michael, if you looked at LEAP and CrimTrac?

Supt SAYER — Yes, from a state perspective, those are the databases we look at and CrimTrac has limited information. It might highlight that there is further information somewhere else, but it is not there and it is not timely. It is certainly not something we can feed intelligence into.

In relation to intelligence sharing, such as information sharing on the methodology for the crimes that are committed particularly, say, drug transportation and importation, the ability to get that information, that level of knowledge, to our members is limited as well. We have protocols for sharing information with customs and with the federal police, but again that impedes the transfer of information down to that level where it is needed operationally. When you say: what would I do — from a perspective nationally I think there needs to be a national repository for intelligence, and that would greatly enhance our ability to investigate at ground level. It will certainly make it safer for law enforcement officers when they are out there doing their jobs because they will have real-time information around the people that they are dealing with. At the moment it is really limited to a safe basis. Having seen it work in the US context, it really does enhance the way they can respond to people in the field that they are dealing with.

Mr SCHEFFER — I just want to return to the matter that the Chair raised. Over a period of time during this inquiry we have heard from parents and family members who have spoken extremely sadly about the direct experiences they are encountering, and they have said that on occasions they have gone to the police and reported it — and I understand absolutely what you have just described to us about the constraints that you work under, that it has to be evidence-based, it has to be within the law and all of that. They have also been critical of the courts, and often that arises out of not understanding how the court system works and how policing works. What my question to you is, because in our report we are morally obliged to respond to what people tell us: how does the police force or a local police station report back to that family and explain to them in a way they can understand that police hands are tied? That is not because of a failure necessarily in the system but because we are about a rights-based system and there have to be checks and balances and you cannot just pick people up off the street for a crime that either they have not committed or that the state believes is not as serious that a certain penalty should be attracted to it? How do you process that as a police force?

Supt SAYER — It is interesting, because as a member of the community, too, you get that information passed to you from the community and their feelings about when they go to police they give them information and seemingly nothing is done about it and they do not understand why.

Mr SCHEFFER — Absolutely.

Supt SAYER — Depending on what context it comes out of — whether it is a family violence situation — will impact on the way we respond and the information they are given around that and the feedback they get. In a general sense, some of this intelligence comes to us anonymously, or from people who are wishing to remain anonymous. In that context I would imagine, in most cases, there is not a lot of feedback to those people. I think we can do it better, though, in relation to feedback and understanding and, as you said, it being in a language they can understand. I would be mortified to find out that on a lot of occasions that does not happen. I think it does — —

Mr SCHEFFER — So there is a process in place for where people who have made a complaint — it might be about a son or daughter in a mess, for one reason or another — the police will ask them to come back, and they will sit down in a room and step them through what happened? You do have that in place?

Supt SAYER — We have that in place, and whether it is in a room or whether it is another way — yes, we do. Especially victims of crime; we have a process and policies, yes.

Mr SCHEFFER — What I am getting at is: it is not just over the counter in the reception centre? It is properly done?

Supt SAYER — Yes, but whether it is done on every occasion, I would not be competent to say that.

Mr SCHEFFER — I understand that. But what I am driving at is: there is a process, so it might just be a matter of expanding that?

Supt SAYER — Yes.

Mr SCHEFFER — And making sure it happens in a certain category. Is that something we should recommend, or is that something you are comfortable that you do anyway? Because that is not what we are hearing.

Det. Insp. MAHER — If I were faced with that scenario, I appreciate it is not a good idea to be having someone standing at a front counter of a police station providing information. If I am informed of that situation, particularly where I am based, at Seymour and Shepparton — where we have what is called divisional tasking units — I would invite the person into an interview room or a visitor room, which is not visible to the public, and invite one of those officers down to glean intelligence information from them to put into an information report, to gather evidence to try to identify the trafficker. They may be able to name the trafficker for us, and it could be information

which would go into a bigger investigation. I appreciate what you are saying, that I suppose there is a falling down at times in that we have received that information and we go off and investigate and at times the person is not notified of the outcome. It could have been that the investigation had gone on for six months and there could have been a number of information sources, but I do appreciate that people like that feedback as to the outcome of information.

Mr SOUTHWICK — I am just interested to know your thoughts on the sophistication of the drug dealing that we have in the region. Is it something where there is a whole lot of little groups that are operating, looking after friends and smaller cohorts? Do you have a presence of OMCGs, outlaw motorcycle gangs, and other criminal-type organisations that are operating in the region? Maybe you could just give us a bit of a breakdown of where you see the extent of the drugs coming in and being dealt through Shepparton and surrounds?

Supt SAYER — Paul will speak to one particular part of that. I think there are various levels of sophistication that we are seeing within the division. We are certainly seeing links in some of the seizures to higher levels. We have had a couple of instances in particular. We have had one where a community was impacted — or a number of communities, but a local area was impacted — by a particular dealer that was linked to a group in Melbourne. We have also had links to an OMCG, but predominantly — and this is anecdotal, because we just do not have that information — it is that lower-level dealing to groups of people within their own setting.

Det. Insp. MAHER — Mick mentioned there was an operation run last year by the detectives from the Alexandra crime investigation unit, Operation Downey. It is still going through the courts, so I cannot go into great detail. That led to ice trafficking in the — it was based in the Alexandra area but it also had tentacles spread out to Mansfield, Buxton, Kinglake, Narbethong, which is outside our area. There is no doubt it has pervaded into every area of local community, small towns. In the past it seemed to be that smaller country towns did not have the so-called hard drug issue, but there is no doubt that with ice it is in local communities everywhere. From what I am seeing it does not appear to be a complicated network set-up. It more appears to be that we have separate groups that will usually go to the metropolitan area, buy what they need for the week and bring it back. They will have their own network; they do not appear to be interconnected as such. As has also been explained in the document, the dealers will not buy up big, large amounts; they will only tend to buy their weekly amount. I explained before the difficulty that we have, that even if they only buy 10 or 20 grams and we catch them with it, we really need to find that extra evidence to charge them with trafficking. Otherwise, it is very difficult — —

Mr SOUTHWICK — Are they doing that deliberately? Or is it just how much money they happen to have at the time and they are just buying what they can.

Det. Insp. MAHER — I think it could be both; yes, it could be both. But there is no doubt that criminals out there are aware of these thresholds. A lot of them obviously know their rights, they know the law. My suggestion would be to put the onus the other way around. If they are in possession of 20 grams of ice, which is worth well over \$10 000, \$15 000, rather than us having to prove that they are in possession for sale, the onus should be put onto them to prove that they were not in possession for sale. It would certainly make our job a lot easier. That is the way it is with confiscation of assets. If we find someone — a dealer — in possession of \$20 000, the onus is on them to prove that they obtained it lawfully. I think that would certainly help our law enforcement if we could do the similar thing with drug trafficking.

Mr SOUTHWICK — Just extending the Chair's earlier comments, yesterday we heard evidence to suggest that the perception out there is that Victoria is a lot more lenient in terms of the laws and being able to prosecute compared to, say, New South Wales — if you look at Albury-Wodonga and that scenario — and the criminal element is aware of that, so they will organise their activities accordingly. Is the perception reality? Would you say that in other jurisdictions they are tougher, particularly in dealing with these sorts of things? Or is it just a perception?

Supt SAYER — I would not speak for the community here in relation to that perception, because I have not heard that. Certainly within policing that would be a perception, yes.

Det. Insp. MAHER — Having briefly worked with New South Wales police, they do have similar legislation to the US, where there is a three strikes rule. It does appear to be that the penalties for that legislation are stronger than Victorian legislation. As to whether criminals are dealing in Victoria rather than New South Wales because of that, I would not be able to comment on that.

Mr McCURDY — Superintendent, earlier you spoke about family violence, and I think the numbers were that something like 600 out of 2300, nearly a quarter, of family violence incidents had some sort of connection with drugs. Can we put that into perspective with alcohol? Elsewhere we have been we have heard that although ice is a rapidly increasing issue, alcohol still outweighs it, in terms of sheer numbers. But obviously if it keeps increasing at the rate it is going, it will catch up and surpass it very quickly.

Supt SAYER — We did an alcohol intelligence brief last year in relation to it, and it is still a significant driver — and cannabis is, too — in our family violence. Those figures I gave you were for all drugs, so that included alcohol; they did not delineate between other drugs and alcohol. So, yes, it is a significant portion of our family violence. There are a lot of issues around packaged liquor outlets. We are not seeing that family violence so much in the street or in licensed venues. It is back in the home and around packaged outlets. They are a whole other issue. I cannot break that down.

Mr McCURDY — Fair enough.

The CHAIR — If alcohol is such an issue, what recommendations would you give this committee to try to change the public's behaviour in relation to it? I refer you to the recent laws introduced in New South Wales in relation to shut-up time on licensed facilities and also the issue around sponsorship and advertising by alcohol-related companies in the sports arena. I am trying to direct questions where we can get some substance in relation to possible recommendations. You have seen the New South Wales response to their new laws around 1.30 a.m. shut up and 3.00 a.m. non-entry, whatever it is; I cannot remember which way it went. There is also the sponsorship issue around beer, particularly in relation to sporting events. Is that going to create the cultural and social change that is needed to reduce the impact of alcohol in our society?

Supt SAYER — It is a real positive step. I agree it is. It is a step though. I look at the culture around sporting clubs, especially within a rural context, and the culture is still very much around that drinking culture: spectators drinking during the games. Even when you go to kids cricket matches, kids football, there is a drinking culture there and that is very prevalent in the rural areas. We have to change that and I think that sponsorship is a step in the right direction. There is a lot of community education that has to go out there in relation to this.

It is a step in the right direction. I do not think it is the be all and the end all. It is not the total strategy but we have to actually start to change our mindset around the drinking of alcohol, what is acceptable and what is not acceptable. I think we find it very acceptable that alcohol can be displayed in front of our children in a sporting context. They grow up and move into that same mentality where they are playing sport and at the end of the day the game centres around celebrating with alcohol. We have to get away from that. We mount operations on a regular basis around sporting grand finals and it is predominantly around drink drivers, because they are out there and they are doing it after these sporting grand finals. No good things happen after the early hours of the morning in licensed venues. You see assaults in the streets; people are vulnerable.

Mr CARROLL — We have heard about crystal meth and cannabis, but what about prescription drugs, opiates, in Shepparton? Is that an issue that you are confronting or is that still very much under the surface?

Supt SAYER — Anecdotally and through intelligence reports, Xanax is in significant use around people coming down from methamphetamine. It helps bring them down when they have been on a long high. That is not backed with charges, but certainly the intelligence we are getting is around that use. There is some anecdotal stuff around steroid use, and Paul alluded to it before: around the ability to take drugs and not put on weight when you are in that level of sport.

Det. Insp. MAHER — It appears from my experience that ice and Xanax seem to go hand in hand. I have dealt with people who have trafficked ice who are trafficking Xanax at the same time as ice. Quite often the Xanax will be obtained illegally as well. One example I recall is doing a search on an ice dealer. We found a huge box of Xanax and we were able to trace it to the result of the burglary from the Sigma pharmaceutical company. That is another side issue that there is prescription drug abuse and trafficking alongside your illicit substances such as ice as well.

Mr SOUTHWICK — I have a quick question on Project STOP, which is the pharmacy recording of two aspirin and the like, how successful is that in Shepparton? What percentage of pharmacies would be actually participating, and is that something that we should be ensuring is a mandatory program throughout all pharmacies?

Supt SAYER — We do not have visibility over the pick-up on that and the uptake, so I am not able to comment on that. I certainly see it as a really positive step, and it would be nice to know that all our pharmacies were picking up on that.

Det. Insp. MAHER — It definitely is an issue because it is not mandatory, so it is up to the goodwill of the pharmacist who is running that pharmacy. The majority of them do come on board, but it certainly would help us if it was mandatory reporting.

Mr SCHEFFER — This is a big question but I hope a very brief answer. One of the things we have struggled with is coming to grips with what the business model of ice is — its acquisition, its marketing and its retailing. Do you have a grip on that? First with whichever model that you are working to, but inside that, what is the role of social media in the retailing and marketing? I know it is a really big question.

Supt SAYER — Again anecdotally, and from intelligence, it is playing a fairly strong role in the distribution aspect of ice, and other drugs for that matter, and I think it is being used as a tool in that.

Mr SCHEFFER — You do not have to say it here, but just in relation to Mr Southwick's point about the dispersion of local groups moving almost unobserved because they are close, personal networks — and then you talked about transport routes, larger importers and a larger set of things — I just want to know, a yes or no basically, whether you have a sense of how all that fits together in policing, or is it as big a puzzle to you as it is to us?

Supt SAYER — I have a sense of the importation. I have some visibility over that because of my linkages with customs and with the US, and I get a fair bit of visibility over that myself, personally. I do not think we as an organisation do, generally.

Mr SCHEFFER — Yes, that will do. Thank you.

The CHAIR — All right, we might have to bring it to a close. Thank you both very much for your time this morning. We appreciate it, and thank you for your written notes too.

Witnesses withdrew.