

Victoria Police Manual – Procedures and Guidelines

Drug investigations

Source Policy

These Procedures and Guidelines support and must be read in conjunction with the following:

- **VPMP Investigation support**
- **VPM Crime and event reporting and recording**

Application

Procedures and Guidelines are provided to support the interpretation and application of rules and responsibilities. They include recommended good practices and assessment tools to help employees make lawful, ethical and professional decisions. Employees should use the **VPM Professional and ethical standards** to inform the decisions they make to support interpretation of Procedures and Guidelines.

Procedures and Guidelines are not mandatory requirements on their own. However, where rules and responsibilities state that employees must have regard to Procedures and Guidelines, the Procedures and Guidelines must be used to help make decisions in support of the rules.

Procedures and Guidelines

1. Dealing with drug offenders

- There are a number of options available to members when dealing with drug offenders, such as cautioning, laying charges and diversion programs. Refer to **VPM Disposition** for advice.
- Before pursuing any investigation for 'use and posses' offences at incidents of non-fatal overdoses, members are to first consider whether this action is in the best interests of the community. Removing the fear of prosecution may encourage people present at overdoses to call for an ambulance without delay.
- Complete a Drug Report [Form L15] on all occasions where an offender is charged.

2. Drug related deaths

- Manage and preserve the scene in accordance with **VPM Scene management**.
- Refer to **VPM Deceased Persons** for the relevant advice and procedures to be followed.

3. Managing major drug investigations

3.1 *Definitions*

A **major drug investigation** (MDI) is one that involves:

- the use of specialist personnel or services (excluding CIRT for level 2 drug searches not involving a clandestine laboratory. Refer to the CIRT intranet page for CIRT application process).
- the cultivation, manufacture or trafficking of a commercial quantity of a drug of dependence
- criminal groups, drug identities or any criminal action which impacts adversely on the wellbeing of a particular community
- other law enforcement agencies
- a clandestine drug laboratory operation
- an application for Controlled Operations Fund expenditure
- a Controlled Operation Authority.

3.2 *Serious Crime and Organised Crime Tasking and Coordination Committee*

- The Serious Crime and Organised Crime Tasking and Coordination Committee (SCaOCTCC) is chaired by the Manager, Investigation and Specialist Support, Crime Command and comprises a quorum of superintendents with at least one representative from:
 - Intelligence and Covert Support
 - Crime
 - regional Operational Support (rotated).
- The Committee's role includes:
 - assessing and approving all MDIs
 - assessing applications for all local major/minor and cross border controlled operations (including drug investigations that involve controlled operations, excluding Professional Standards Command

- (PSC)) before submitting them to an assistant commissioner or above for final consideration and authorisation
- assessing applications for funding from the Controlled Operations Fund.
- Refer to **VPM Controlled operations** for information about applying for and conducting controlled operations.

4. Application to SCaOCTCC to conduct a MDI

The following procedure does not apply to investigations undertaken by PSC.

4.1 *Investigating member responsibilities*

- Investigation has been recorded on Interpose and is approved as an 'Active' investigation by the Work Unit Manager.
- Investigation is in the work group covert security group if Undercover Unit (UCU), Human Source Management Unit (HSMU) or a Controlled Operation is involved.
- Investigation Plan completed and approved by the Work Unit Manager.
- Risk Assessment and appropriate Risk Management Plan has been completed.
- All relevant entities including applications, profiles, logs, targets, vehicles and locations are linked to the Interpose investigation.
- Information reports and target profiles have been associated to the investigation.
- Applications for resources have been recorded appropriately with supporting comments by the Work Unit Manager.
- Liaison has occurred with Subject Matter Consultants at either the Drug Task Force or Clandestine Laboratory Squad.
- Investigation is forwarded for approval as a MDI to SCaOCTCC via CRIME-CONTROLLED OPERATIONS REGISTRY-MGR PBEA, in line with Controlled Operations Registry (COR) timelines, unless urgent circumstances exist.
- Where a MDI involves a controlled operation:
 - refer to **VPM Controlled operations**
 - ensure that the controlled operations record is linked to the relevant investigation record.

- Request SCaOCTCC approval, by adding a comment to the Interpose investigation record and referring it to:
 - regional applications – the regional Crime Operations Support Superintendent, via line management
 - Crime Command applications – the relevant Crime Superintendent.

4.2 Urgent applications

Urgent applications can be made to:

- COR - during business hours
- Serious Crime Response Team (SCRT) availability Tactical Intelligence Officer - after hours

4.3 Extensions to a MDI

- Applications to the SCaOCTCC for an extension of the authorised investigation are made by:
 - adding a suitable comment to the Interpose investigation record
 - obtaining the appropriate approvals and forwarding the record to the COR with the required timeframes. Refer to the COR intranet page for full details.
- Applications are to be approved by:
 - regional applications – the regional Operations Support Superintendent, via the relevant line of management
 - Crime Command applications – the relevant Crime Superintendent.

4.4 Responsibilities of approving member

On approving an application by adding a suitable comment to the Interpose investigation record, the regional Operations Support Superintendent or relevant Crime Superintendent will notify the COR where appropriate, by sending an email from the Interpose record.

5. Conducting a MDI

5.1 Oversight of the MDI

In addition to normal investigations management processes, the Crime Portfolio Inspector or relevant Local Area Commander is to maintain an oversight of MDIs conducted at regional level.

5.2 Completion of a MDI

At the conclusion of the investigative or arrest/warrant phase of an investigation, in the relevant Interpose investigation record:

- upload an Investigation Completion Report as an association

- upload a Post Operational Assessment to the Investigation Plan section
- record arrests using an Event record and link it to the Investigation record.

6. Covert investigations

6.1 *Utilising drugs in a covert investigation*

- Where it is considered necessary to make use of drugs or chemicals used in the manufacture of drugs during a covert investigation, seek approval from the Assistant Commissioner (Crime).
- If drugs or chemicals listed in Schedule 11, *Drugs, Poisons and Controlled Substances Act* are included, the Assistant Commissioner will consult with the relevant Deputy Commissioner prior to approving the request to use the drugs or chemicals.

6.2 *Funding for drug purchases*

- Applications to the SCAOCTCC for a Controlled Operations Fund allocation may be made by adding a suitable comment to the Interpose Controlled Operation record and uploading a buy plan to the Controlled Operation record.
- Low level purchases in the early stages of an investigation should be funded from the relevant regional or departmental Imprest account. Refer to Guidelines for Controlled Operation Funding on the COR intranet page.
- Applications are to be approved by:
 - regional applications – the regional Operations Support Superintendent, via the relevant line of management
 - Crime Command applications – the relevant Crime Superintendent.
- On approving an application by adding a suitable comment to the Interpose Controlled Operation record, the relevant superintendent will notify the COR where appropriate, by sending an email from the Interpose record.
- The principal law enforcement officer (member responsible for conducting the controlled operation) will be the member responsible for allocations from the Controlled Operations Fund.

6.3 *Use of property to purchase drugs*

Refer to **VPMP Investigation support**.

7. Clandestine drug laboratories and drug manufacturing materials

7.1 *Accountabilities*

The Clandestine Laboratory Squad and Victoria Police Forensic Services Department (VPFS) are responsible for the assessment and processing of all suspected clandestine drug laboratories and chemical storage facilities in accordance with the Crime Investigative Guidelines - Clandestine Laboratories.

7.2 *Early apprehension*

Unless otherwise approved by the Assistant Commissioner (Crime), if it is identified during an investigation that a suspect has committed a serious criminal offence preparatory to manufacturing illicit drugs, arrest them at the earliest opportunity before establishment of the laboratory.

7.3 *Entry to a clandestine laboratory or chemicals store*

- A premises believed to contain an illicit drug laboratory or chemicals used in the manufacture of illicit drugs may only be entered by employees who:
 - are qualified at the Clandestine Laboratory Safety Awareness Certification Course and hold a current medical fitness certificate to perform this duty
 - possess a current national accreditation in the use of self-contained breathing apparatus
 - are qualified at the Confined Spaces Course
 - are wearing Personal Protection Equipment.
- Where a clandestine drug laboratory or chemicals store is located by way of accidental discovery:
 - remove all persons from the scene
 - do not touch, handle or move any materials
 - do not touch, handle, move, disconnect, de-activate or operate anything within the scene
 - isolate the scene and maintain a safety perimeter
 - immediately notify the Police Communications D24 in accordance with the Accountability and Resource Model Criteria.

7.4 *Reports*

- The Site Safety officer appointed by the Clandestine Laboratory Squad or Scene Controller is responsible for completing a Hazard Incident Report on HR Assist and any other internal reports.
- Details of all employees in attendance at the scene, regardless of how long they were present, and their role should also be recorded.

8. Hydroponic cannabis crops

8.1 *Responsibilities*

- Police responding to any cannabis crop house are responsible for the safety of the following people including:
 - emergency personnel
 - members of the public
 - other police members
- Police are to cordon off and contain the crime scene while awaiting the arrival of specialist personnel. The hydroponic set up is not to be dismantled until the relevant power supply company has attended and disconnected the power to the premises.

8.2 *Management of electrical hazards*

- Where a hydroponic cannabis crop is located in an unplanned operation (whether or not as a result of the execution of a warrant) immediately upon securing any offenders located within the premises, the senior member present is to notify the Police Communications Centre who will contact the relevant power supply company.
- For planned operations and warrants, particularly on a number of houses, the senior member is to notify the appropriate power company direct to ensure an adequate and timely response.
- Under no circumstances are member to cut any wires, turn on or off any switches or remove any hydroponic or electrical items prior to the attendance at the premises by the relevant licensed electrical inspector who will:
 - render the property safe from any electrical hazard
 - disconnect any electrical bypass
 - where a bypass has occurred, make an assessment of power usage to quantify the value of the theft of electricity.
- Dismantling of the hydroponic crop set up must not commence until the site has been declared safe by the licensed electrical inspector from the nominated power company, and the senior member present authorises the commencement of the dismantling of the hydroponic crop set up.
- In most cases the licensed electrical inspector will disconnect the power to the premises meaning that all lighting and power will become inoperable. To overcome this lack of lighting, dismantlement of hydroponic electrical equipment should (where possible) be carried out during daylight hours to help identify any hidden hazards such as man traps, sharps, broken glass, etc. Consider contacting the SES for additional lighting, if required.

- Members should also avoid looking directly at illuminated high intensity lights as the UV radiation has potential to cause permanent eye damage.

8.3 *Dismantling the hydroponic crop house*

Botanists –

- The Botany Branch, VPFSD should be notified as early as possible about pending investigations. The Branch does not provide an on-call service, however it can be placed on standby for a specific job.
- When a hydroponic cannabis crop house is located, the Botany Branch, VPFSD should be contacted and advised of the find. This is particularly relevant in matters where there may be a commercial quantity of cannabis plants identified (100 plants or 25 kilograms total weight). A botanist can be called-out to attend crops of more than 100 plants.
- Cannabis plants are not to be separated from their roots, as they are to be examined intact by a botanist, generally at the VPFSD or in situ at the crop house.

Handling of cannabis –

- Members should handle, transport and store cannabis and associated equipment in accordance with **VPM Drug handling, examination and destruction**.
- When executing search warrants all members are to have in their possession the necessary safety equipment, including:
 - eye protection
 - gloves
 - overalls
 - operational safety equipment.

Members are encouraged to read FSD Quick Guide – *Exhibit Collection and Packaging – Common Items* regarding OH&S issues associated with cannabis, and the Crime Investigative Guidelines for further guidance on handling cannabis safely.

Further Advice and Information

For further advice and assistance regarding these Procedures and Guidelines, contact your supervisor or local training officer.

Update history

Date of first issue	22/02/10	
Date updated	Summary of change	Force File number
22/11/10	Clarification of role of Clandestine Laboratory Squad and VPFSC in relation to clandestine laboratories, and required qualifications for employees entering clandestine labs (section 7).	060347/09
15/03/11	Replacement of Hazardous Material Incident Record [Form 64A] with Hazard Incident Report on HR Assist to reflect current practice (section 7)	066167/11
21/05/12	Security Intelligence Group (SIG) has been changed to Security and Organised Crime Intelligence Unit (SOCIU)	070904/12
30/07/22	Inclusion of instruction on the management of hydroponic cannabis crop houses to address the related electrical hazards to members.	061117/10
7/01/13	Amendments throughout to reflect changes to Crime Command investigation practices and governance.	072989/12
15/04/13	Change of reporting processes for urgent major drug investigations (section 4.2) and discovery of clandestine laboratories (section 7.3).	FF-076304
5/1/15	Clarification of process to involve CIRT in a level 2 drug search not involving a clandestine laboratory	FF-090028
29/04/2025	Administrative amendment – VPMG Drug handling, analysis and disposal replaced by VPM Drug handling, examination and destruction	FF-122100