

OUTLINE OF CROWN CASE

1. In September 2005 police commenced Operation Quart, an investigation into alleged heroin trafficking by the accused and co-accused [REDACTED]
2. Between 9th November 2005 and 7th January 2006 the police activated a telephone intercept on mobile telephone number [REDACTED] under a warrant obtained pursuant to the *Telecommunications (Interception & Access) Act 1979*. It is alleged that the accused and co-accused utilised this number to facilitate the trafficking of heroin during this period.
3. The telephone intercept material indicates that the accused and co-accused trafficked heroin by taking orders from customers and discussing amounts, prices and meeting places. The Crown relies on the entirety of the calls transcribed and the expert opinion provided by Detective Sergeant FISHER to demonstrate this.
4. The police Informants, S/C JOHNSTON & S/C BOOTH, are able to say through their dealings with the accused and the co-accused, that their voices can be heard on the intercepted telephone calls.
5. On 15th November 2005 Informant S/C BOOTH conducted physical surveillance on the accused and co-accused. She observed them take part in several transactions with customers. The accused would arrange a meeting place and attend in a blue Rav 4 motor vehicle. The customer would approach the driver's side of the vehicle and an exchange would take place. The transactions would take less than one minute. The accused would then return to [REDACTED] at [REDACTED] Coburg.
6. On 8th June 2006 police executed a search warrant pursuant to s.81 of the *Drugs, Poisons & Controlled Substances Act 1989* at [REDACTED], Coburg. Both accused were arrested at the scene.
7. A thorough search of the premises was conducted and 53 items were seized including various white powders, mobile telephones, simcards and a set of digital scales.
8. Forensic Scientist Graeme Wilson later examined the substances seized and detected heroin in the following exhibits:

<i>Item Number</i>	<i>Quantity of substance (grams)</i>	<i>Approximate purity of heroin</i>
1	0.5	60%
7	0.2	Not determined
10	6.9	Not determined
12	10.1	0.3%
35	12.6	Not determined
37	7.8	Not determined
39	25.7	Not determined
41	4	0.7%
45	58	Not determined
47	0.5	1%
49	1.6	0.7%
57	55.3	Not determined

59	26.6	0.4%
TOTAL:	209.8	

9. He detected morphine in the following exhibits:

<i>Item Number</i>	<i>Quantity of substance (grams)</i>
12	10.1
22	209.6
59	26.6
TOTAL:	246.3

10. Police also located \$5000 in the accused's vehicle, a silver Toyota Supra registration [REDACTED] which was parked in the driveway.

11. The accused was conveyed to St Kilda Road Police Station where an interview was conducted. The accused admitted that he resided at the premises (Q.2), admitted that he was a user of heroin (Q.83-86), said he used the digital scales to measure the correct dosage of heroin so that he would not overdose (Q.118), admitted that one zip lock bag containing heroin located in the loungeroom on the mattress he had been sleeping on was his (Q.123), admitted that the Toyota Supra parked in the driveway was his, as was the \$5000 found in it, however explained that his mother had given the money to him 3 days earlier to go and see a doctor so that he could stop smoking (Q.60-66). He denied knowledge of the other drugs and powders located. He also stated that he rarely slept at the house (Q.144).