

Peter Fox
49 340310

25/2004

Adv Act John Fultz Doc's Ready @ 25/6
(Clause 6 (a))

Form 5

Occupier's notice for a Part 2 warrant

Search Warrants Act 1985

Important information for occupiers concerning the Search Warrant

A search warrant has been issued by an authorised justice. It gives the authority and power to the police to enter and search the premises at

53 Duraresq Street, Hamilton

(address)

being a

Catholic Diocese Office for Newcastle/Maitland

(description of premises, e.g. dwelling house)

Expiry

This search warrant will expire at

3.30

a.m. / p.m. on

19 June 2004

(date)

Force

The police may use such force as is reasonably necessary to enter and search the premises and to gain entry to or open any receptacle.

YOU HAVE THE RIGHT TO INSPECT THE SEARCH WARRANT BUT YOU MUST NOT HINDER OR OBSTRUCT THE SEARCH, AS TO DO SO MAY BE A CRIMINAL OFFENCE. UNDER SECTION 9 OF THE SEARCH WARRANTS ACT 1985, THE MAXIMUM PENALTY FOR OBSTRUCTING OR HINDERING A SEARCH WITHOUT REASONABLE EXCUSE IS A FINE OF \$11,000 AND 2 YEARS IMPRISONMENT.

What can be seized

The police can seize any of the things mentioned in the warrant and anything which they find, while executing the search warrant, which is believed on reasonable grounds to be connected with any offence.

The powers given by the search warrant

The things the police are empowered to search for are:⁽¹⁾

Any record or file stored either in writing or electronically concerning the following:-

Disciplinary or other action regarding Catholic Priest Father James Patrick FLETCHER.

*Any record of why James FLETCHER was transferred to the Gateshead Parish in 1983.

Any record pertaining to concerns raised by any person concerning James FLETCHERS behaviour around & towards young boys.

Any record held of any person who may have been sexually assaulted by James FLETCHER.

The police also have the power to:

- Guard or take away anything seized under the warrant.
- Search any persons on the premises who are reasonably suspected of having a thing on them which is mentioned in the warrant.
- Arrest any person who is reasonably suspected of committing an offence in relation to anything seized.

(1) If space is insufficient continue overleaf or attach separate sheet.

25/2004.

Form 5

(Clause 6 (a))

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~~53 Duraresq Street, Hamilton~~ **841 Hunter St, Newcastle West**
(address)

being a

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(description of premises, e.g. dwelling house)

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Issue Details

The search warrant was granted by
an authorised justice under the Search Warrants Act 1985

on
(date)

at /
(time)

The warrant was issued on application of
(name of police officer)

of
(rank) (place of work)

Basis for the issue of the warrant

The warrant was granted on the basis that the authorised justice found that there were reasonable grounds for the issue of the warrant and, in particular, that the applicant police officer had reasonable grounds to believe that there were on the premises the things listed above which were⁽²⁾.

(a) Things connected with the following offence of⁽¹⁾

Challenging the issue of the warrant or the conduct of the search

If you are dissatisfied with the issue of the warrant or the conduct of the search you should seek legal advice. This advice may assist you to decide whether your rights have been infringed and what action you can take. If your rights have been infringed you may be entitled to a legal remedy.

You should keep this notice as it will assist you if you seek advice.

You should produce this notice at the court when seeking to inspect the application.

Limitations on the powers conferred

- 1 The warrant must be executed before the date and time of expiry given above.
- 2 Any force used must be reasonably necessary.
- 3 The warrant authorises entry only between the hours of 6.00 a.m. and 9.00 p.m. unless other times are specified on the warrant.
- 4 The warrant must be shown to you if you ask to see it.
- 5 Nothing other than the things mentioned in the warrant can be seized unless it was found by a police officer while executing the search and the officer believes on reasonable grounds that it is connected with any offence.

⁽²⁾ Delete whichever is inapplicable.

Inspection

The application for the warrant, written reasons for the issue of the warrant and other associated documents are to be held at⁽³⁾ Maitland

Local Court. You may seek to inspect those documents by arrangement with that Court.

Signed 

Date

16 June 2004.

(Authorised Justice/Applicant Officer)⁽⁴⁾

⁽³⁾ Insert the Local Court to which the issuing justice is attached or to which it is intended to forward the documentation.

⁽⁴⁾ In the case of telephone search warrants in circumstances where facsimile facilities are not available, the notice must be signed by the applicant officer. In cases of application in person or by facsimile transmission, the authorised justice must sign the notice.

P. Fox
(telephone number)

25/2004

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