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## The Commonwealth's part in the fight against organised crime

It's worth doing more



David Connery

### Executive summary

Organised crime is a significant threat to Australia's society and economy, and Australian governments already devote much attention and resources to combating it. This attention includes a new initiative to enhance Commonwealth-state law enforcement cooperation: an anti-gangs squad. The new squad will bring a range of new information sources to help state police forces in practical and direct ways. It will be welcome and is likely to enhance the existing effort against organised crime.

But there's another area where the Commonwealth could show leadership: by helping all Australian jurisdictions to build capability to counter organised crime. Capability is simply the mixture of people, equipment, processes and training that gives an organisation the potential to achieve its mission. But capability development, as it's known, is an active process that requires money and attention.

After making the case for the Commonwealth to do more in the area of organised crime, and outlining the role and function of the Australian Government's anti-gangs squad initiative, this paper proposes two options for how the government could promote nationwide capability development in this area.

The first is to expand the function and resources given to the Senior Officers Group on Organised Crime (SOG on OC) so that it has the funds and support to make a plan for new, nationally consistent capability. This option would cost around \$18 million a year and require an expansion of the committee. The second option is to extend the remit of the Australia - New Zealand Counter-Terrorism Committee. This option would leverage the extensive (but not complete) overlap between the needs of countering terrorism and countering organised crime.

Of the two options, expanding and funding the SOG on OC, using money from proceeds-of-crime or unexplained wealth confiscations, is suggested as a good first step because it involves the least amount of change. But it should be only an interim step.

What should also occur at the same time is an extensive review of the interjurisdictional governance arrangements for domestically oriented security challenges in Australia. The review should aim to minimise the current duplications among committees and enhance the effectiveness of the Commonwealth-state partnerships in areas including crime fighting, counterterrorism, emergency management and cybersecurity.



A supplied image obtained Friday 2 Aug 2013 of Strike Force Raptor officers during a raid on a bikie clubhouse at Haymarket in Sydney. AAP Image/Supplied by NSW Police.

## New initiatives on organised crime

The Australian Government has long recognised organised crime as a threat to Australia's prosperity and society. More recently, serious and organised crime has been identified as a threat to national security, too. This should be a major concern for all Australians, and indeed for international partners who trade with us, invest here or have social links in Australia.

It's claimed this nefarious activity results in an economic loss to Australia of around \$15 billion per year, and graphic evidence of the associated violence and loss is often covered in the media. State-level political leaders are taking action, some of it successful. And both the former Labor government and the new Coalition government have responded in both action and promise.

The most recent response, by then Prime Minister Gillard and her Home Affairs Minister Jason Clare, was to create the

National Anti-Gang Taskforce (NAGT), led by the Australian Federal Police (AFP). The taskforce would bring national resources to the fight 'to make a difference'.<sup>1</sup>

The Coalition's 2013 election policy provided for a similar squad, albeit one with a greater emphasis on fighting organised crime at the local level with the support and backing of national resources. While the operational initiative represented by the squad is a big step in a good direction, Commonwealth action shouldn't stop here.

Indeed, the Australian and state governments should, together, review the counterterrorism effort of the 2000s and adopt some of the practical and useful measures taken at that time. While that should include attention to governance, legislation, international relationships and almost certainly to the social drivers of crime, this paper focuses on one area where the Australian Government could do more. That area is best described as 'capability development'.



This file photo taken on 31 July 2012 shows Australian Federal Police (AFP) guarding US\$525 million worth of crystal methamphetamine ('ice') and heroin after smashing a Hong Kong-based international drugs syndicate in Sydney. Australia seized a record 23 tonnes of illicit drugs in 2011-2012 with arrests at a 10-year high, data showed on 20 May 2013, as officials warned the country had become a key target for traffickers. AFP PHOTO via AAP/FILES / Torsten BLACKWOOD

This paper argues that a new way is needed to identify where resources could be applied to enhance policy, legislation, training, information sharing, equipment and research (which together create 'capability') for agencies involved in the fight against serious and organised crime. The effort should be conducted on a national basis, in ways that ensure that all Commonwealth and state law enforcement agencies have an appropriate ability to address crime problems that exist in their jurisdictions. This will be important in improving the reach and effectiveness of all those involved in this fight, and in making the new taskforce initiative more sustainable.

Extending the Commonwealth's effort to include capability development would require a marginal increase in funding, the bulk of which can come from the proceeds of new 'unexplained wealth' orders. The money could be allocated to the Senior Officers Group on Organised Crime (SOG on OC) at first. The group would become responsible for planning nationwide capability against organised crime. It would be refashioned along the lines of the Australia – New Zealand Counter-Terrorism Committee (ANZCTC). This should be seen as an interim step to a more coordinated and less costly governance structure for managing domestic criminal or homeland security matters in Australia.

## Why should the Commonwealth do more?

In Australia, dealing with crime is mostly a matter for state governments, and all of them devote significant resources to the task. However, the Commonwealth also has critical responsibilities for crime prevention and prosecution. They include responsibility for banking, telecommunications and border security<sup>2</sup>, responsibility for protecting every state from domestic violence, and general constitutional responsibilities under the Commonwealth's executive and foreign affairs powers. There's a significant external dimension to organised crime too: foreign states can be sources of illegal goods and bases for crime perpetrated in Australia. Links between domestic and overseas criminal groups add to that dimension.<sup>3</sup> Depending on how you cut the cake, the Commonwealth's own attribution of resources to the law enforcement aspects of national security amounts to over \$3 billion a year.<sup>4</sup>

That outlay is justified by the harm organised crime causes to the community, even if the level of harm is hard to measure accurately. It is, of course, possible to understand some

direct costs to the community, such as the cost of policing. The proceeds confiscated from criminals and the estimated economic losses from crime are also quantifiable.<sup>5</sup> But some non-physical harms of crime are hard to even estimate. For instance, we know that violence reduces community confidence and can create fear, but it's hard to put a price on that. We also know that corruption can taint democratic processes, economic crime can reduce trust in penetrated markets, and e-scams might reduce our confidence in the internet: but quantifying the costs of each is difficult. Where crime deeply penetrates other countries, it affects their governance ability and makes it harder for all to do business. In severe cases, criminal penetration can reduce political stability and increase the probability that costly humanitarian and security assistance will be required. So while putting a dollar figure around these harms is difficult, they add up to substantial problems at the local, national and international levels, and more than justify government intervention and resources.

The clear need to play a major role has already led the Australian Government to develop a network of agencies with operational, intelligence and supporting roles in the fight against organised crime. That network is important because it extends overseas, and it can bring into the fight a range of Australian Government actors with regulatory functions or important taxation, customs, welfare and immigration information. The AFP's international network, as well as the broader resources of the intelligence community and the Department of Foreign Affairs and Trade, can also provide assistance and information about problems within Australia.<sup>6</sup>

This capacity to reach both broadly and deeply for information can also be used in constructive ways to help the state governments fight organised crime, if the right coordination mechanisms and culture are in place. Both the new Abbott government and its predecessor have seen the need to use our resources more effectively, leading both to develop policies for anti-gang squads.

## Labor's National Anti-Gang Taskforce

During her week-long visit to western Sydney in March 2013, then Prime Minister Gillard announced the Australian Government's intention to establish a standing taskforce to deal with organised crime. At the press conference announcing this initiative, Ms Gillard identified the growing

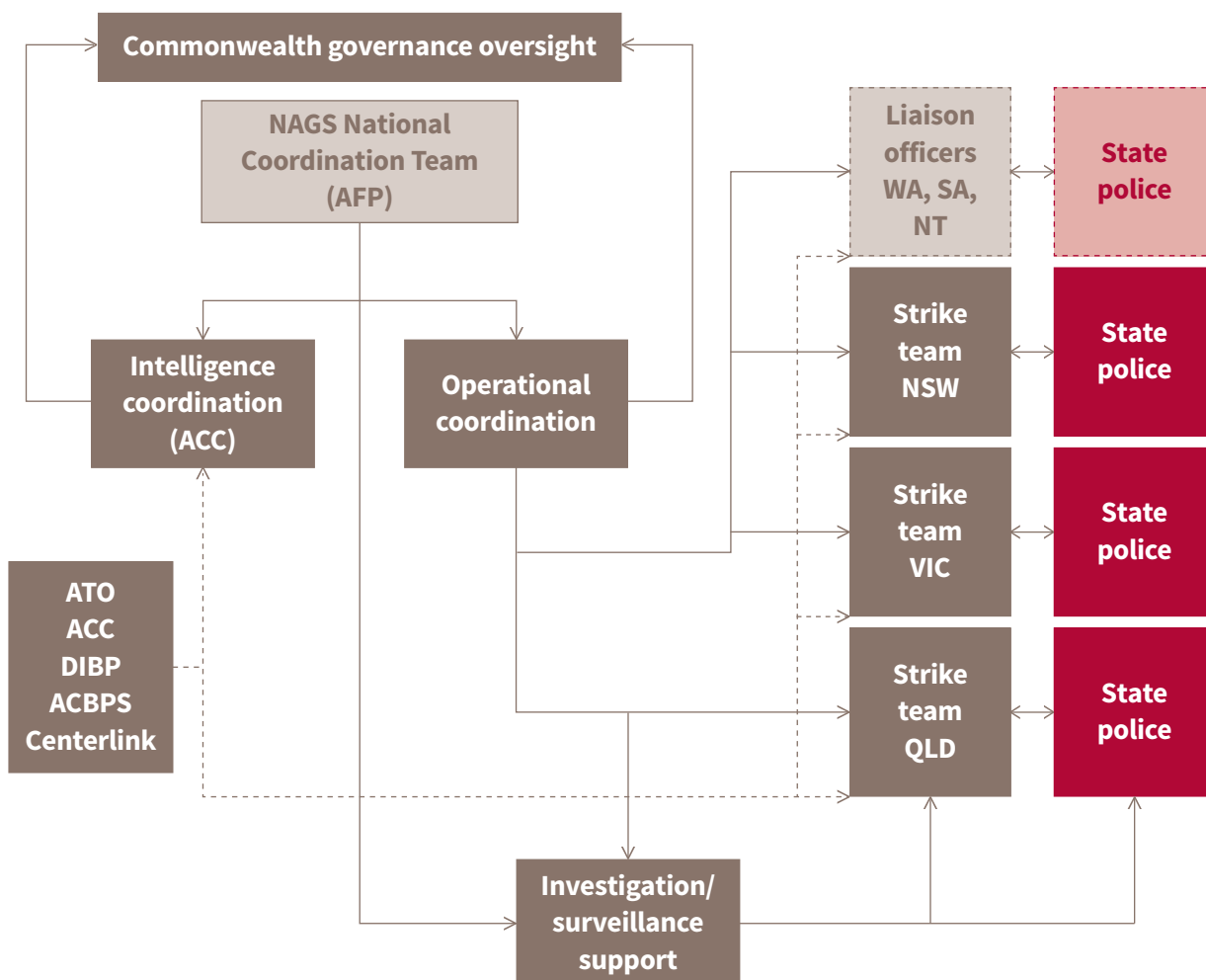
sophistication of gangs and the increased danger faced by communities, and how this made new measures and further Commonwealth involvement and assistance appropriate.

The assistance would be provided by a National Anti-Gangs Taskforce (NAGT) comprising officials from the AFP, the Australian Taxation Office, Customs, Immigration, Centrelink and the Australian Crime Commission. The taskforce would support 'strike teams' and liaison officers in state capitals. Additional support would be available from dedicated intelligence liaison, physical and technical surveillance teams, cyber investigators and the AFP's Criminal Assets Confiscation Task Force (Figure 1). New Commonwealth legislation targeting gangs and their crimes was promised, some of which has already passed the House

of Representatives (but not the Senate before it rose in June 2013).<sup>7</sup> Also promised was \$64.1 million over four years, which included funding for the AFP's staff contribution, taskforce infrastructure, costs for secondees from the Tax Office, Customs, Immigration and the Australian Crime Commission, and six state/territory government liaison officers.<sup>8</sup> In total, the whole NAGT initiative will fund around 71 officers for four years.

While the cash is not insubstantial, the main currency is a combination of the national approach to this nationwide problem, the harnessing of multijurisdictional cooperation and information flows based on local needs and priorities, and the incorporation of information from international law enforcement partners. It's in those areas, rather than in

Figure 1: The National Anti-Gangs Squad (NAGS) model – October 2013



Note: ATO participates in strike teams.

'police on the street', where the Commonwealth will really add value to state and territory police force efforts.

The national anti-gangs coordination team started operations on 4 July 2013. In recent weeks, the Australian, Queensland, Victorian and New South Wales governments have announced that the 'strike teams' are now operational in their states,<sup>9</sup> while liaison officers in Perth and Adelaide have already started work. The liaison officer for the Northern Territory will probably follow soon. Together, this effort will represent a relatively fast rollout of the anti-gangs initiative.

Still, that hasn't stopped numerous questions being raised about whether the proposal can be effective without a referral of powers from the states to the Commonwealth to allow national anti-gangs legislation to be enacted, or whether the whole idea will have a detrimental impact on individual liberties.<sup>10</sup> Yet another critic asked, in what was a compliment about the level of cooperation already shown by Australia's law enforcement officers, whether this initiative contained anything new.<sup>11</sup>

Still, the Coalition criticised the ALP government's NAGT as inefficient and not tailored to local needs. It promised to bring a new approach to this problem if elected.

## The Coalition's policy: local anti-gang squads

Election platform documents must be very brief: they need to speak to the broadest possible audience and make their point quickly. This also serves the purpose of providing some 'wiggle room' if and when the party takes office. While the primary audience might (and only might) be happy with this, practitioners and policy wonks alike are bound to be dissatisfied with the ambiguity and lack of detail.

The Coalition's 'local anti-gang squads' policy is a case in point. This policy pledges to 'fight crime at the local level with the support and backing of national tools, resources and intelligence'. The policy pledges smaller, better targeted and regionally based anti-gang squads. This, the policy argues, acknowledges that one size doesn't fit all when it comes to fighting serious and organised crime, and that the priorities and work of state and territory law enforcement agencies need to be respected.<sup>12</sup>

The same policy document also identifies the key features of the governance regime for the squads. At the ministerial level, the Coalition promised to merge two intergovernmental committees with responsibilities relating to law, crime and justice into a single Standing Council on Law, Crime and Community Safety. In addition to ministers, senior law enforcement officials would be invited to attend meetings in a manner reminiscent of the National Security Committee of Cabinet.

Governance at the officials level isn't explained, although the Coalition's intention is to make the squads responsible to the Australian Government's central criminal intelligence and law enforcement agencies while being responsive to the needs of state and territory law enforcement agencies.

The Coalition said it will allocate \$64 million to this task, and made a promise to create a new National Anti-Gangs Squad (NAGS) with access to the full suite of federal intelligence and operational resources. This amount of money is, incidentally, exactly the amount promised by the Gillard government for its 'inefficient' taskforces.<sup>13</sup> This suggests that the Coalition government intends to get more impact from its proposal for the same amount of money.

Despite this rebranding, the new government's policy is likely to result in only some minor changes to the existing and planned NAGS. In particular, the Australian Gangs Intelligence Coordination Centre, which was to be a separate intelligence coordination function within the AFP under the original proposal, will now sit alongside the Australian Crime Commission's established National Criminal Intelligence Fusion Centre. That move will benefit the taskforce by delivering analysed and fused data from national and international sources, although it creates some risk that a gap will open between intelligence and operational decision-making. However, since this creates one fewer step in the intelligence chain, the new government will claim some credit for bringing more efficiency to the taskforce.

One thing that won't escape the new government is the small size of the NAGS compared to what the state governments are already doing. While the NAGS 'strike teams' are likely to consist of 6–8 people, the big states allocate around 200–500 detectives to their various organised crime squads and taskforces.<sup>14</sup> The new strike teams are very flexible in their makeup and will also be used in different ways—in some states, they're likely to be kept as a central resource



in the state crime headquarters, while in others they might be attached to important investigations as a way of providing additional resources. Other activities might also be conducted in the background: surveillance or cyber activity won't be seen by the public, and civil proceedings such as taxation investigations may be used to disrupt syndicates. Thus, the visibility of the NAGS strike teams is likely to vary considerably from state to state. Indeed, one interlocutor captured this possible lack of visibility in stark but practical terms: 'I don't expect to see the National Anti-Gangs Taskforce credited on many press releases.'

National-level ministers might not welcome that message. In a policy field in which media events are political currency, Commonwealth ministers mightn't be invited to share the podium with their state counterparts when the big busts are announced. Yes, the Commonwealth should expect thanks for the information provided for the case, and an AFP officer might be seen in the media clips, but the NAGS could actually be a long way from the action. Will the Australian Attorney-General, Justice Minister, Immigration Minister and Treasurer be happy with this low profile? Or will they expect more?

This paper suggests that the Australian Government accept a relatively low profile for the NAGS for the sake of the national interest; and that state police ministers and premiers offer magnanimous praise for the Commonwealth role in their announcements. And where the NAGS has played a major role that should be recognised—as it often is today—with joint press conferences. Without that give-and-take and a strategic view of the problem, it's entirely possible that the very helpful anti-gangs initiative will lose political support and, importantly, resources in Canberra. This is especially important at a time when the National Commission of Audit is carefully scrutinising Australian Government activities and spending.

## Funding and innovation

It's also timely and relevant to identify exactly what Commonwealth spending on law enforcement actually saves. As the earlier discussion of harms showed, there are no exact figures for this although proceeds-of-crime restraints, the drug harm index and the estimated financial return from anti-fraud activities help.<sup>15</sup> But the simple explanation is

that disrupting or preventing crime makes it possible for the economy and society to function with less criminal interference. Crime reduction also allows business to spend money on productive activities. Investigations and arrests allow governments to address the 'tax leakage' to the black economy. And, without being too crass, the introduction of unexplained wealth laws would actually allow governments to recover some of the proceeds of crime and put that money to better uses. Added together, this makes a strong case for exempting law enforcement agencies from further cuts because, perhaps more than any other Commonwealth activity (except for government business enterprises), law enforcement actually saves money in the short and long terms.

It will also be important to recognise that the Commonwealth is not the only source of innovation in this area. Already, some interviewees for this project have described how intelligence analysts from Commonwealth agencies and the state police are working in new 'joint analyst groups'. These new groupings, as well as more established joint investigative teams, are modelled on the approach taken to counterterrorism and are being developed alongside the Commonwealth NAGS initiative. Interviewees also reported that the AFP is approaching these interactions in a very collaborative way, making good on the cliché, 'We're from the government and we're here to help'. That kind of attitude—as well as the funding for the state police liaison officers to the NAGS—will make it much more likely that the support offered by the Commonwealth is both accepted and used, and that further innovation will follow.

That innovation will be important because law enforcement agencies—and political leaders—must be agile and move relatively quickly in the rapidly changing criminal landscape. The current purge aimed at criminal motorcycle gangs is a manifestation of that rapid change, but the criminals won't stand still. We can expect organised criminal syndicates to adapt as well. Developing a way to allow agencies to adapt (preferably ahead of the criminals), and to do so in a consistent manner, should be a high priority for all Australian governments. The recommended mechanism to promote that agility is to extend the existing approach from operational support through the NAGS into capability development.

## Build nationwide capability

Defined simply, 'capability' gives an organisation the potential to achieve its mission. This potential is formed from the combination of different elements, such as people, equipment, legislation, procedures, research and training. Importantly, capability is formed when each of the constituent elements is mixed appropriately for the need. This makes capability development an active process.

Active processes need resources: people, time and money to identify needs, consider options to meet the agreed needs, invest in the capability elements, and evaluate the result. This report recommends that the Australian Government take the lead by providing capability development resources to combat organised crime, following a similar approach to that already applied to counterterrorism.

This proposal centres on enhanced information aggregation and analysis by the Commonwealth, state, territory and (given its close involvement in counterterrorism, defence and emergency management) New Zealand governments, and a fund that would help all Australian jurisdictions to enhance their interoperability, information utilisation and professional skills in the fight against organised crime.

This proposal draws on Australia's response to counterterrorism over the past decade through the Australia – New Zealand Counter-Terrorism Committee (ANZCTC).<sup>16</sup> This multijurisdictional group is co-chaired by the Commonwealth and jurisdictions in rotation, and includes representatives from first ministers' departments and law enforcement agencies.

A driving factor behind the success of the ANZCTC is an administrative fund of around \$12.3 million per year.<sup>17</sup> The fund is used for projects that develop national counterterrorism capability, which is defined in a very broad sense. This allows the ANZCTC to fund skills enhancement, common equipment, doctrine development and exercises. Furthermore, and equally as important as the money, is how the ANZCTC provides an important venue for relationship building, legislation harmonisation and development, and information exchange—while keeping first ministers' organisations engaged in a consistent manner. Those last points are important because, while the committee doesn't have an operational role, most ANZCTC members hold key appointments in the operational chain of responsibility

for policy and budgets, as well as terrorism incidents and investigations.

This model could be applied to Australia's serious and organised crime challenge because there's a significant overlap between these two crime types. For instance, the skills needed by intelligence analysts and investigators are very similar whatever the crime. Likewise, technical surveillance capability and cyber capability don't really care what type of crime the target might be perpetrating. The ability to share data among jurisdictions is critical in both areas, even if it comes from different sources or has different usage caveats. There's some commonality in response capabilities, especially where criminals might use high-powered weapons or, as some have done in the past, employ explosive devices. There are some differences between terrorism and organised crime, of course, but these crimes may become more similar over time.

Interviews completed for this report indicate that funding to support nationwide capability to counter organised crime would be welcomed. Practitioners in the field identified training as a priority, including increasing the throughput of the Management of Serious Crime program and creating specialised courses to introduce investigation methods on financial and cybercrime to generalist investigators. Another major priority is interjurisdictional information sharing—specifically, funding ways to draw information about criminals and criminal activities together from existing databases. Enhanced technical capabilities would also be welcomed, including better tracking equipment and data-mining capability.

## Governance and funding options for capability development

There are two broad options available to implement a capability development system among states quickly, and a longer term goal that should be examined at the same time. The first near-term option is to modify the existing Senior Officers Group on Organised Crime (SOG on OC). This would essentially involve an expanded remit for the group, for which it would probably need a significant secretariat and planning team, its own budget, and perhaps different membership.<sup>18</sup> It may be, for example, that SOG on OC membership could be raised to deputy commissioner level, at least initially. It would probably also need to get bigger, as including representatives

of the Attorney-General's or justice department of each jurisdiction would be useful to ensure breadth in its considerations. Consequently, significant new resources would be needed to make this committee anything like the ANZCTC, but it could be built quickly if funding were made available outside the normal budget cycle. But this initiative wouldn't need new funding from the budget for long.

In time, the anticipated unexplained wealth laws and the resulting confiscation orders could provide the necessary resources. The Australian Government has already promised to 'ensure proceeds of crime money is used to fight crime, not prop up the Government's budget for political reasons,' and this spending would surely meet that aim.<sup>19</sup> Funding the initiative would probably cost around \$18 million per year (including the capability fund and an enhanced secretariat), which is less than a fifth of the money that the Commonwealth collected in 2011–12 under the old, and harder to use, proceeds-of-crime legislation. This would be the quickest fix and one that would prove to be at least a useful interim step.

But any increase in spending mightn't be palatable at the moment and, as argued here, there's already some overlap between the capability needs for fighting organised crime and countering terrorism. So a second near-term option is to form a new deputies-level committee that covers both counterterrorism and organised crime policy: in effect, merging the existing ANZCTC and the SOG on OC.

This new committee would operate in much the same way as ANZCTC, with some tailoring to accommodate the small differences between these two crime areas. For example, the countering violent extremism strand of work is important to counterterrorism, but less so to organised crime. It could remain separately funded. Terrorism might require more attention to attempts to create mass casualties and dealing with explosive devices<sup>20</sup>—although criminals, too, have used explosives.<sup>21</sup> Unexplained wealth legislation, which is an essential component of the proposed Commonwealth approach, is perhaps not as relevant to terrorism as it is to organised crime.

Despite these few differences, there remains a huge overlap between dealing with these two types of criminal activity, including a focus on firearms, complex investigations, surveillance technology and activities in the cyber environment. Both crime types also need effective

intelligence-sharing arrangements, access to interpreters, and exercises to test arrangements.

Importantly, the existing operational elements shouldn't be changed, as they are already effective and non-duplicative in both areas. That means retaining the Serious and Organised Crime Coordination Committee and the all-hazards National Crisis Committee arrangements.

This second option would simplify the governance arrangements for dealing with national security-related concerns that have a multijurisdictional impact (see Figure 2). Specifically, it would reduce the number of committees by one and allow the committee to report to a ministerial council (such as the Standing Council on Police and Emergency Management or the new merged council, if that's accepted<sup>22</sup>) rather than COAG. A broader mandate for the committee would also make it easier to harmonise key strategic documents, such as the National Counter-Terrorism Plan and the Serious and Organised Crime Strategic Framework. This option would also require minimal new resources, as it's simply an expansion of an existing committee's remit and budget. Put simply, the reformed committee would need to do more with what it has—although there'd be a very strong case to return the \$13.2 million over four years that was cut from ANZCTC in the last budget.<sup>23</sup>

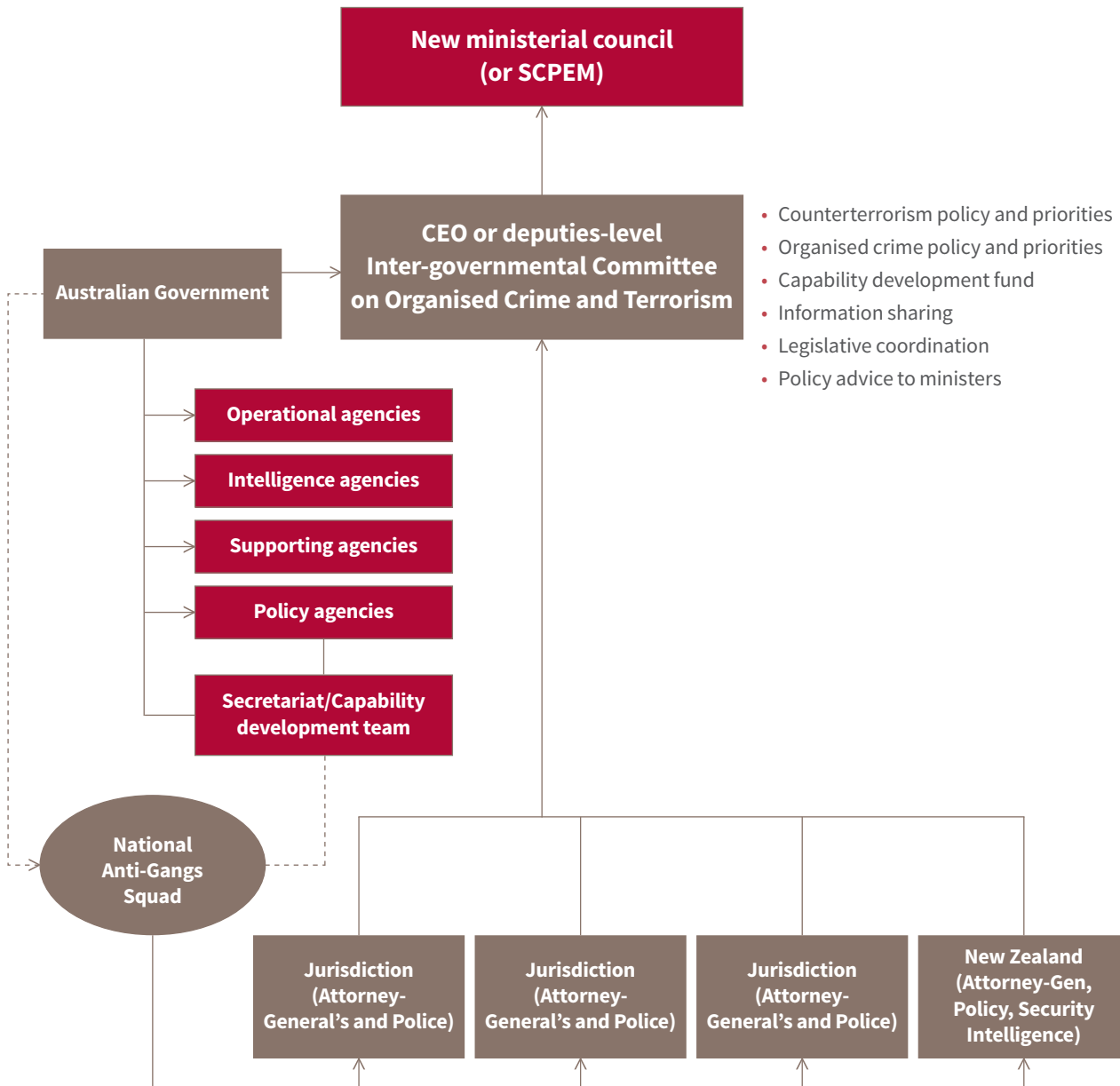
While the two options are not greatly different, they could allow COAG to say something positive about its intention to rationalise governance and get more from spending. But the first option of boosting the SOG on OC would probably be the easiest to implement, and it wouldn't do harm to existing relationships. This option is suggested as the first step on a longer journey of creating more efficient, and probably effective, domestic security arrangements in Australia.

**Recommendation 1: Expand the remit of the Senior Officers Group on Organised Crime to include capability development, as an interim step towards the rationalisation of the governance structure for dealing with domestic (or homeland) security issues.**

**Recommendation 2: Use funding from successful unexplained wealth orders (approximately \$18 million per year) to fund nationwide capability development to counter serious and organised crime.**



Figure 2: An enhanced model of Commonwealth–state cooperation against organised crime and terrorism



**Next steps**

Regardless of which near-term option is chosen, it's time to rationalise the interjurisdictional coordination and policy development mechanisms in the security area. At present, there are separate committees for counterterrorism, organised crime, emergency management and cybercrime, and separate boards for the Australian Crime Commission, the policing advisory agency, national crisis management and organised crime operations. The second grouping, of

senior boards, would probably be best left untouched due to their differing mandates and membership, but there's scope to rationalise the committees to enhance their efficiency and reduce their impost on the nation's senior national security officials and police. COAG should seriously consider commissioning a substantial review, perhaps similar to that conducted into the Australian Government's national security arrangements by Ric Smith in 2008, into our national-level security, law and crime arrangements.

**Recommendation 3: COAG should commission a review to enhance and simplify governance arrangements for domestic (homeland) security issues within Australia.**

## Make sure we're clear on what we're talking about

The current anti-gangs squad initiative and its taskforce predecessor don't look very different from each other. But both look very different from the approach used by US authorities in their 'anti-gangs' efforts. That's because our US counterparts are looking at a different phenomenon, in a different context. It would be worth readjusting the Australian perspective by focusing more upon something that's clearly definable and definitely illegal in Australia—participating in serious and organised crime. This would help lift the discussion above its current focus on biker gangs.

However, biker gangs are the news of the day, so it's equally important to be clear about the target. Not all bikies are criminals, and the tag 'outlaw' tends to romanticise those who are. So let's reframe our language there, too, and begin to call them 'criminal motorcycle gangs' as Queensland Premier Campbell Newman suggests. That's what they are.

**Recommendation 4: Rename the current effort as Counter-Organised Crime Squads.**

**Recommendation 5: 'Criminal motorcycle gangs' are a target: call them that.**

## Conclusion

The Gillard government's response to serious organised crime and the Coalition's promised policy look almost identical. That's not a concern, because the anti-gangs taskforce approach is highly likely to deliver effective results if it's well implemented. That's because it brings key agencies—and their information holdings—into one team, which should provide an enhanced ability to investigate, disrupt and prosecute serious criminals. What's more, the diverse composition of the team means its members can look at individual criminals and their actions through a variety of legislative prisms and apply the most effective tool to each case. The passage of information and criminal intelligence is also important, as is the accent on Commonwealth–state and international cooperation. This grouping also makes a reciprocal level of cooperation and respect for

jurisdiction the essential element of the policy approach: without governments recognising each other's respective constitutional responsibilities for managing crime, there's real potential for friction and lost opportunities.

Capability development would be a logical, and indeed essential, new dimension of the national fight against organised crime. A new mechanism, which would effectively build on the existing counterterrorism model, could be operationalised relatively quickly by providing a fund to the existing SOG on OC. That group could adapt the guidelines and relevant processes for the existing ANZCTC fund, while the necessary money of around \$18 million per year could come from confiscations made under the anticipated unexplained wealth laws. This will be a small investment in addressing a real problem that, if not addressed comprehensively, will continue to harm Australia and its interests.

Beyond this initial step, serious consideration should be given to how the Commonwealth, states and territories manage their shared security responsibilities. Some mergers within the existing structure could be possible; for instance, by leveraging the significant overlap between counterterrorism and organised crime capability needs to create one committee. But, more broadly, the increasing prominence of security issues with a domestic context makes a broader rethink of these arrangements very worthwhile. Commissioning such a review should be a priority for COAG in 2014.

## Notes

1. Lloyd Jones, 'PM announces anti-gang taskforce', *Brisbane Times*, 3 March 2013.
2. Under section 51 of the Australian Constitution.
3. Australian Crime Commission, *Organised crime in Australia 2013*, Commonwealth of Australia, Canberra, 2013, pp. 5, 69.
4. Based on an estimate in the Attorney-General's *Portfolio Budget Statement 2011–12*, pp. 8–9, 28. It doesn't include contributions to law enforcement made by agencies such as Foreign Affairs or Defence. In contrast, the NSW Government funded the NSW Police Force at a net cost of \$3.3 billion in 2011–12 (see [www.police.nsw.gov.au](http://www.police.nsw.gov.au)).

5. In 2011–12, the AFP restrained \$97 million from proceeds of crime, the drug harm index was \$5.2 billion, and the estimated financial return from the AFP's anti-fraud activities was \$871 million (see *AFP annual report 2011–12*, p. 2).
6. It's also worth noting that information gained within Australia about crime can also have implications for other countries, which see the international connections used to obtain and provide information.
7. Commonwealth legislation targeting unexplained wealth and illicit firearms has been developed, but not yet passed by the Senate. An amendment to the Taxation Administration Regulations 1976 was made in June 2013 to allow taxation officers to disclose protected information to the NAGT.
8. The cost of transferring responsibility for proceeds-of-crime investigations from the Commonwealth Director of Public Prosecutions to the AFP was also included in this initiative. See Australian Government, 'Addressing gang violence and organised crime—National Anti-Gang Task Force, Gang Intelligence Centre and Criminal Assets Confiscation Task Force', *Budget 2013–14—Part 2: Expense measures, Attorney-General's*, [www.budget.gov.au/2013-14](http://www.budget.gov.au/2013-14).
9. Michael Keenan MP and Denis Napthine MP, 'Victorian strike team cracks down on bikies', joint media release, 30 October 2013; Rachel Blaxingdale, 'Victoria joins national squad to form strike team against bikie gangs', *The Australian*, 30 October 2013; AAP, 'Organised crime strike team formed, gun laws strengthened', *The Australian*, 22 November 2013.
10. George Williams, 'States' grip on gang laws could scupper federal clampdown', 12 March 2013, [www.newsroom.unsw.edu.au](http://www.newsroom.unsw.edu.au); Simon Breheny, 'Gillard's anti-gang laws threaten property rights and liberty', *Freedom Watch*, 8 March 2013, [www.ipa.org.au](http://www.ipa.org.au).
11. Chris Seage, 'Déjà vu: Gillard's gang taskforce is nothing new', Crikey, [www.crikey.com.au](http://www.crikey.com.au).
12. Liberal and National parties, 'The Coalition's policy to tackle crime', August 2013, pp. 6–7.
13. Liberal and National parties, 'The Coalition's policy to tackle crime', p. 6.
14. The strike forces are not the Commonwealth's only contribution. The AFP also maintains taskforces, including ones working on waterfront crime and the Rebels criminal motorcycle gang, as well as state-office and head-office investigators.
15. The figures cited above for proceeds of crime and the estimated financial return from anti-fraud activities, which totalled \$968 million in 2011–12, compare favourably to the overall cost of the AFP, which was under \$1.3 billion that year (*AFP annual report 2011–12*, p. 2).
16. ANZCTC was known as the National Counter-Terrorism Committee from 2002 until October 2012.
17. Attorney-General's Portfolio, *Portfolio Budget Statements 2013–14*, Commonwealth of Australia, Canberra, 2013, p. 32.
18. The current SOG on OC membership is at assistant commissioner level, and it reports to the commissioner-level National Police Senior Officers Group. In contrast, the ANZCTC membership is at the deputy CEO/deputy commissioner level, and it reports to COAG.
19. Liberal and National parties, 'The Coalition's policy to tackle crime', p. 10.
20. National Counter-Terrorism Committee, *Ten year anniversary report*, 2012, [www.coag.gov.au](http://www.coag.gov.au).
21. Such as the bombing of the National Crime Authority's Adelaide office in 1994 and the 2001 murder of Don Hancock in Perth.
22. See Standing Council on Law and Justice, *Communiqué*, 10–11 October 2013, [www.sclj.gov.au](http://www.sclj.gov.au).
23. Australian Government, *Budget 2012–13—Part 2: Expense measures, Attorney General's Department (Portfolio savings—Redirection)*, [www.budget.gov.au](http://www.budget.gov.au).

## Acronyms and abbreviations

AFP	Australian Federal Police
ANZCTC	Australia – New Zealand Counter-Terrorism Committee
NAGT	National Anti-Gangs Taskforce
NAGS	National Anti-Gangs Squad
SOG on OC	Senior Officers Group on Organised Crime

## About the author

Dr David Connery is ASPI's Senior Analyst, Strategic Policing and Law Enforcement. He has previously served with the Department of the Prime Minister and Cabinet, the ANU's National Security College, and the Australian Army.

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ASPI

Tel +61 2 6270 5100

Fax + 61 2 6273 9566

Email [enquiries@aspi.org.au](mailto:enquiries@aspi.org.au)

Web [www.aspi.org.au](http://www.aspi.org.au)

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