



Discover Understand Respond

Australian Crime Commission
Corporate Plan 2015–19



CEO Foreword

As the accountable authority of the Australian Crime Commission (ACC), I am pleased to present the 2015–16 to 2018–19 corporate plan, as required under paragraph 35(1) (b) of the *Public Governance, Performance and Accountability Act 2013*. The plan is prepared in accordance with the *Public Governance, Performance and Accountability Rule 2014*.

This corporate plan reflects the functions of the ACC as set out in the *Australian Crime Commission Act 2002*, integrates with the ACC Planning Framework and represents the implementation of the ACC *Strategic Plan 2013–18*, which was endorsed by the ACC Board in 2013.

The plan had been prepared for the 2015–16 reporting year and covers the four-year period from 1 July 2015 to 30 June 2019.

A handwritten signature in black ink, appearing to read 'Chris Dawson', with a long horizontal line extending to the right.

Chris Dawson APM
Chief Executive Officer
Australian Crime Commission

ACC Vision

To reduce serious organised crime threats of most harm to Australians and the national interest by working across national boundaries to provide Australia with the ability to discover, understand and respond to nationally relevant serious and organised crime.

Purpose

Role

The Australian Crime Commission (ACC) is Australia's national criminal intelligence agency with specialist investigative capabilities.

Objective

The ACC's objective is to reduce serious organised crime threats of most harm to Australians and the national interest by working across national boundaries to provide Australia with the ability to discover, understand and respond to nationally relevant serious and organised crime.

This is reflected in the ACC's intended outcome in the *Portfolio Budget Statement 2015–16* and its vision in the *Strategic Plan 2013–18*.

To achieve this, the ACC **builds the national picture of serious and organised crime and breaks the business of serious and organised crime** through the three-pronged approach, as described in the *Strategic Plan 2013–18*:

- **DISCOVER:** The ACC proactively identifies new and emerging threats. The ACC's collection work is focused on 'filling the gaps' in our intelligence.
- **UNDERSTAND:** The ACC develops a national intelligence picture on current and emerging threats. All of the ACC's partners contribute to it and use this to guide their response to serious and organised crime.
- **RESPOND:**
 - Prevent**—It is harder for serious and organised criminals to operate in Australia; the vulnerabilities they seek to exploit have been reduced.
 - Disrupt**—Serious and organised criminal enterprises are disrupted, disabled and dismantled through an effective enforcement regime and regulation, policy and legislation responses.

Functions

To perform its role and achieve its objective, the ACC undertakes its functions, as set out in the *Australian Crime Commission Act 2002*, which are to:

- collect, correlate, analyse and disseminate criminal information and intelligence
- maintain a national database of criminal information and intelligence
- undertake intelligence operations
- investigate matters relating to federally relevant criminal activity
- provide strategic criminal intelligence assessments
- provide advice on national criminal intelligence priorities.

Environment impacting the ACC 2015–19

Serious and organised crime threat environment

Serious and organised crime is powerful, complex and pervasive. Organised crime groups are well resourced, highly adaptive, with diversified operations across multiple crime types, methodologies and jurisdictional boundaries.

- **Visible and hidden:** Serious and organised crime has both a visible impact such as importation, sale and distribution of illicit commodities, and inter-gang violence. However, less visible acts of criminality such as fraud and complex business structures mask illicit criminal activities.
- **Technology:** Advancing technologies and the online environment present new opportunities for organised crime to take advantage of Australia's reliance on the internet and technology. Cybercrime against individuals, businesses and governments, can be conducted from anywhere around the world, and can be easily carried out by individuals, organised crime groups or nation states. Organised crime groups are using an increasingly sophisticated range of technological enhancements to counter law enforcement efforts.
- **Globalised and transnational:** Serious and organised crime is transnational and global in nature. Although their capabilities, geographical reach and sophistication varies, groups, networks and individuals are increasingly targeting illicit markets in multiple countries simultaneously.
- **Networked criminals:** Organised criminals are highly networked, professional and well funded. They operate with high-level specialist advice—including legal and financial advice—that allows them to evade detection and operate internationally within gaps in legislative and regulatory regimes. Cooperation between organised crime groups is becoming more apparent, as is the intertwining of different types of criminal activities by some organised crime groups.
- **Diversification:** Organised crime groups involved in international drug trafficking are diversifying. They are no longer trading in one drug or commodity, but are including multiple drug types in the same shipment. Transnational organised crime groups have the ability to adapt to market requirements and demands.
- **National security:** Australians are facing the most significant ongoing threat from terrorism in our nation's history¹. Australians going abroad to fight with terrorist groups, those returning from conflict zones with intent to plot against Australia, as well as increasing risk of home-grown violent extremism has led to the heightened threat level of terrorism in Australia, and it is likely to endure. As counter-terrorism efforts throughout Australia are enhanced, linkages between terrorism and the broader organised crime and volume crime environments are being identified.
- **Capabilities:** Law enforcement capabilities are increasingly being challenged against the threat environment including high levels of encryption and advanced serious and organised criminal tradecraft.

Through its work, the ACC continually monitors changes in the criminal environment, for example by regularly updating the *Picture of Criminality in Australia* suite of intelligence products. In addition, through the ACC Board and close collaboration with stakeholders (see page 5), the ACC identifies other factors that influence how it pursues its purpose and adjusts activities accordingly.

¹ <http://www.nationalsecurity.gov.au/Media-and-publications/Publications/Documents/Australias-Counter-Terrorism-Strategy-2015.pdf>

Organisational environment

Strategic policy environment

The ACC is a key contributor to the nationally coordinated and collaborative response to serious and organised crime. The National Organised Crime Response Plan ties together efforts of the Commonwealth, states and territories as a key driver of collaborative activity. Equally important is the work of respective ministerial councils, joint policy committees and operational collaboration on criminal targets and thematic threats such as illicit drugs, corruption, firearms, fraud and cyber and technology enabled crime.

The ACC supports the development of government policy responses by informing the public and Parliament about organised crime threats. The ACC has been funded by the Government to lead or contribute to a number of specific policy initiatives related to its purpose. (For further details see the *Performance* section on page 7.)

Strategic priorities

The ACC's strategic priorities include key policy initiatives and expectations set by the Government. In addition, the ACC Board sets priorities in relation to areas of crime or threat, and authorises ACC operations and investigations in those areas and determines if they are 'special', thereby authorising the use of the ACC coercive powers. The ACC Board does this cognisant of the organised crime threat picture.

Special investigations and special operations are initiated with Board approval and executed through a legislative framework and oversight program. The legal instruments have a three-year life, and each year the Board considers their currency within the criminal environment. Current instruments expire in June 2016 and the ACC will engage with the Board on plans for new or revised instruments. These priorities are reflected in how the ACC achieves its purpose.

Stakeholders

The ACC is part of a federated response to serious and organised crime. We bring together the Commonwealth, state and territory response to serious and organised crime through a cooperative, intelligence-led effort. The outcome of reducing serious and organised crime is a **shared national outcome** with the ACC's stakeholders and other contributors.

The ACC works with stakeholders across the nation and around the globe to combat a threat that transcends borders. Its stakeholders include:

- Australian Government—national law enforcement and intelligence agencies, national security, border security, national regulators, national service delivery agencies and national policy development agencies.
- States and territories—state and territory law enforcement and intelligence agencies, anti-corruption agencies as well as state and territory regulators.
- International agencies—international law enforcement and intelligence agencies.
- Private sector—private industry, research bodies and academia.

The ACC works with partners to respond to serious and organised crime by:

- preventing and disrupting organised criminal activity including through proactive intelligence leads and targeting packages for both civil and criminal proceedings
- investigating key criminal entities to ensure successful disruption or prosecutorial outcomes
- informing and influencing partner responses to harden the environment including through enforcement, regulation, policy or legislative reform.

The ACC's performance framework reflects this collaborative environment and provides the means of capturing and measuring performance and contribution to such shared outcomes.

Governance

The ACC is accountable to the Minister for Justice and the Minister Assisting the Prime Minister on Counter-Terrorism and is part of the Attorney-General's portfolio.

The ACC Board—representing Commonwealth, state and territory law enforcement and key national security, policy and regulatory agencies—is responsible for providing strategic direction to the ACC and approving the use of the ACC's special coercive powers.

Further, the ACC is subject to oversight through the Inter-Governmental Committee on the ACC consisting of Commonwealth, state and territory police ministers. The Commonwealth Parliamentary Joint Committee on Law Enforcement also plays an important oversight function.

The Commonwealth Ombudsman, the Australian Commission for Law Enforcement Integrity and the Australian National Audit Office also form part of the external scrutiny framework.

The ACC has a robust internal governance committee structure to ensure the ACC is well managed and accountable.

Organisational risk environment

The ACC operates in a complex risk environment which includes:

- ensuring the safety of staff and the general public commensurate with the security and criminal threat environment
- ensuring delivery across multiple stakeholders at varying levels of government in every jurisdiction of Australia, nationally and internationally
- delivering in a complex environment involving multifaceted criminal investigations and intelligence operations
- ensuring demands and expectations by stakeholders for ACC capabilities are met—with evolving advances in technology, stakeholders are seeking sophisticated analytical and intelligence capabilities.

Legislative environment

The ACC operates in a complex legal environment governed by a wide range of legislation including the *Australian Crime Commission Act*, *Telecommunications Intercept Act*, and *Surveillance Devices Act*. Due to the nature of the ACC's business, the ACC operates in a contested environment and we are often subject to legal challenge as a normal part of our operations.

The ACC must also regularly adjust to legislative change and during 2015–16 will be implementing recent changes to the ACC Act to expressly allow for the examination of witnesses charged with criminal offences and the recent amendments to the *Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015*.

The ACC Act is subject to an independent review every five years and this will occur during 2015–16. The ACC will support the external reviewer and, subject to Government consideration, will implement any agreed recommendations made from the review.

Machinery of Government changes

There is a proposal to implement a merger of the Australian Institute of Criminology (AIC) with the ACC.

While the decision is being considered, the AIC and ACC will work together to identify and explore specific issues on which they might collaborate more closely. On 13 July 2015 Mr Chris Dawson APM, CEO of the ACC was appointed as Interim Director of the Australian Institute of Criminology (AIC) to support that collaboration.

The Government is considering recommendations from the National Commission of Audit² that may further impact the ACC.

² <http://www.ncoa.gov.au/report/phase-one/index.html>

Performance

Priorities

The ACC will fulfil its role as the national criminal intelligence agency with specialist investigative capabilities by performing the functions as set out in the ACC Act and described in the ACC's *Purpose* on page 3.

For the life of this corporate plan, the ACC will continue to undertake its functions and adjust its focus to align with government priorities, and in accordance with the investigations and operations approved by the ACC Board. The ACC will incorporate any new functions or priorities as they arise.

Specifically in 2015–16, the ACC will focus on achieving the following priorities through the associated strategies:

- Tackle the profits of serious and organised crime through the Targeting Criminal Wealth No. 2 Special Investigation, including through:
 - intelligence and investigations to support national and international anti-money laundering activities
 - intelligence and investigations to support the unexplained wealth and proceeds of crime work of the Criminal Assets Confiscation Taskforce³
 - intelligence and investigations to support revenue protection and responses to serious financial crime including through the Budget measure to maintain the integrity of the tax and superannuation systems and support for the National Serious Financial Crime Taskforce.
- Tackle Australian criminal gangs including through:
 - intelligence provided through the multi-agency and ACC-hosted Australian Gangs Intelligence Coordination Centre⁴
 - intelligence to support the work of the Outlaw Motor Cycle Gangs special operation and associated national task forces and approaches to respond to the outlaw motor cycle gang threat.
- Tackle Australia's highest risk criminal targets including through:
 - intelligence and investigations on Australia's highest threat organised criminal targets, through work under – the Highest Risk Criminal Targets No. 2 Special Investigation and associated state-based special investigations in Victoria and South Australia
 - effective national holdings of organised crime intelligence including maintaining the National Target System.
- Contribute to the whole-of-government response to national security threats including through:
 - intelligence developed under the National Security Impacts from Serious and Organised Crime No. 2 Special Operation focused on counter-terrorism in support of Australia's response to Islamist extremism⁵
 - intelligence in support of the Australian border security environment.
- Make Australia a more hostile place for serious and organised crime, including through intelligence on thematic threats such as:
 - illicit drugs which is conducted under the High Risk and Emerging Drugs No. 2 Special Operation
 - cybercrime and firearms through the Making Australia Hostile to Serious and Organised Crime No. 2 Special Operation
 - child sex offences and organised paedophilia through the Child Sex Offences No. 2 Special Operation
 - improved understanding of wildlife and environmental crime.⁶

3 <http://www.ministerjustice.gov.au/Mediareleases/Pages/2014/ThirdQuarter/11August2014-14MillionToTargetCriminalAssets.aspx>

4 <http://www.ministerjustice.gov.au/transcripts/Pages/2013/12December2013-LaunchandpressconferenceattheAustralianGangsIntelligenceCoordinationCentre.aspx>

5 [http://www.ministerjustice.gov.au/Mediareleases/Pages/2014/ThirdQuarter/2September2014-\\$24MillionToEstablishTheAustralianCrimeCommission%27sForeignFightersTaskforce.aspx](http://www.ministerjustice.gov.au/Mediareleases/Pages/2014/ThirdQuarter/2September2014-$24MillionToEstablishTheAustralianCrimeCommission%27sForeignFightersTaskforce.aspx)

6 <http://www.environment.gov.au/minister/hunt/2014/mr20140927.html>

ACC Performance framework

Clear line of sight between planned and actual performance

The ACC performance framework is designed to assess the ACC’s ability to deliver against its purpose. The integrated performance framework directly links the ACC’s purpose and performance indicators, which directly align with the ACC’s *Strategic Plan 2013–18* vision and approach and the *Portfolio Budget Statement 2015–16* outcome and performance information. The performance framework is set out in the following diagram.

OUTCOME

Reduced serious and organised crime threats of most harm to Australians and the national interest

APPROACH

DISCOVER
We are proactively identifying new and emerging threats. Our collection work is focused on ‘filling the gaps’ in our intelligence.

UNDERSTAND
We have a national intelligence picture on current and emerging threats. All our partners contribute to it and use this to guide their response to serious and organised crime.

RESPOND
Prevent
It is harder for serious and organised criminals to operate in Australia; the vulnerabilities they seek to exploit have been reduced.
Disrupt
Serious and organised criminal enterprises are disrupted, disabled and dismantled through an effective enforcement regime and regulation, policy and legislation responses.

INDICATORS

The ACC produces useful intelligence that identifies and provides insights on new and emerging serious and organised crime threats.

The ACC collects and maintains national holdings of serious and organised crime threats and targets.

The ACC informs and influences the hardening of the serious and organised crime environment.

The ACC fills intelligence gaps through the identification of vulnerabilities and indicators of serious and organised crime.

The ACC interprets and analyses national holdings to create a national serious and organised crime intelligence picture.

The ACC influences or enables the disruption, disabling or dismantling of serious and organised crime entities.

The ACC participates in or drives collaboration in joint operations and investigations to prevent and disrupt serious and organised crime.

QUANTIFIABLE MEASURES AGAINST INDICATORS

Due to the shared contributions to the overall outcome, it is not appropriate or possible to have specified targets or purely quantitative key performance indicators. However, many of the measures used to assess performance against these indicators are quantified, including:

- the level and types of ACC activities to discover and understand serious and organised crime
- the level, types and results of the responses the ACC is involved in, and the responses the ACC can track that it enabled by developing that national picture
- the annual stakeholder survey that will indicate the percentage of stakeholders who agree or strongly agree the ACC achieved each key performance indicator.

Specific circumstances

The ACC achieves results by working with a wide range of stakeholders (see page 5) and contributing to a **shared national outcome**. The ACC's contribution may be direct and easily measurable against the outcome achieved, or it may be less direct. As a result the ACC is not always able to collect and measure the impact in a tangible way. This is particularly the case for the **Discover** and **Understand** indicators, where the ACC shares intelligence and insight with many stakeholders and cannot always fully capture or measure the ultimate impact. However, the ACC's contributions can be documented, and provide a measurable basis for its performance assessment.

Measuring performance

The collaborative nature of the ACC's work means it uses a variety of approaches to effectively capture and assess its performance. This includes an appropriate mix of quantitative and qualitative measures to report against these indicators. This also documents ACC delivery against the objectives of the special investigations, special operations and Board-approved task forces, as well as other funded government policy initiatives.

To measure our performance for 2015–16 and for the life of this plan, we will collect evidence that is both qualitative and quantitative to demonstrate achievement against the indicator. This will also document delivery against the objectives of the special investigations, special operations and Board approved task forces as well as related funded government strategic policies.

Due to the shared contributions to the overall outcome, it is not appropriate or possible to have specified targets or purely quantitative key performance indicators. However, many of the related measures can be quantified, including:

- the level and types of ACC activities to discover and understand serious and organised crime
- the ACC's focus areas in building the national picture of serious and organised crime
- the level, types and results of the responses the ACC is involved in, and the responses the ACC can track that it enabled by developing that national picture
- ACC stakeholders' feedback.

The ACC will provide an assessment of ACC's performance against the indicators each year, using the identified measures, in the Annual Report performance statement.

As the ACC continues to collect data over the life of the plan, trend analysis in performance reporting will enrich the performance story that measures and assesses the ACC's performance.

The ACC will also continue to improve and enhance its systems and capability to assess and track progress against these indicators. It is expected that, with the changes in the ACC's environment, the agency will need to review and revise its performance framework to account for new ACC functions and capabilities. As far as possible, the ACC will retain consistency with the current framework to ensure it can effectively capture and analyse performance trends over time.

Resourcing

The ACC is a small agency that, wherever possible, uses resources simultaneously to achieve multiple objectives across a range of priorities. The following table details expected expenditure and human resources (FTE) available to deliver the ACC's purpose for the life of this plan, and identifies where specific funding has been provided.

ACC resources		2015–16	2016–17	2017–18	2018–19
Full-time equivalent staffing levels*		533	511	480	477
Operating funding (\$'m)					
Funded base appropriation		80.363	79.375	79.397	80.023
Funded government policy initiatives		Expires in:			
Foreign fighters	ongoing	5.173	5.205	5.256	5.256
Australian Gangs Intelligence Coordination Centre	2 years	1.614	1.63	-	-
Tax compliance - maintaining the integrity of the tax and superannuation systems	2 years	0.858	0.859	-	-
Operation Sovereign Borders	1 year	0.141	-	-	-
Proceeds of Crime Act funding					
Criminal Asset Confiscation Taskforce	3 years	0.509	0.512	0.517	-
Enhancing criminal wealth targeting capability	2 years	1.7	1.686	-	-
International secondments	4 years	1.962	1.626	0.782	0.552
National Criminal Intelligence System Pilot Program	2 years	3.7	3.948	-	-
Services to other government agencies					
Wildlife and environmental crime	1 year	1.12	-	-	-
Serious Financial Crime Taskforce	4 years	1.882	1.87	1.886	1.905
Other services	Various	4.519	4.374	3.018	2.895
Resources received free of charge		2	2	2	2
Total operating funding		105.541	103.085	92.856	92.631
Capital funding (\$'m)					
Capital appropriation - Bill 1		2.673	2.671	2.697	2.716
Funded government policy initiatives		Expires in:			
Foreign fighters	2 years	2.65	0.572	-	-
Proceeds of Crime Act funding					
Criminal Asset Confiscation Taskforce	1 year	1.11	-	-	-
National Criminal Intelligence System Pilot Program	2 years	1.25	0.9	-	-
Funding sourced internally from departmental resources		0.408	0.398	0.199	-
Total capital funding		8.091	4.541	2.896	2.716

* This includes staffing funded from total operating funding.

Capability

Key strategies and plans

Based on its assessment of the serious and organised crime threat environment and organisational environment, the ACC will pursue the following capability strategies and plans to enable it to achieve its purpose from 2015–16 to 2018–19.

The ACC will review and update these plans each year. The **2015–16 priorities** have been specified below.

- The ACC will prioritise implementation of **national technology solutions**. This includes implementation of the National Criminal Intelligence System to bring together and exploit Australia’s collective knowledge, and allow national criminal intelligence collaboration to counter the increasing complexity and opacity of organised criminal activities.
 - In 2015–16, the ACC will deliver the initial phase of the National Criminal Intelligence System to build on the existing Australian Criminal Intelligence Database.
- The ACC will prioritise **implementation of capability strategies**. Two priority areas include financial and cyber capabilities. This responds to the complexity of the serious and organised criminal environment including complex financial structures and offshore cyber criminals impacting on Australia. The ACC will also ensure it consistently improves in capability—people, process and technology—to effectively respond to current and emerging threats.
 - In 2015–16, ACC skills, technological and processes as well as investment decisions will be prioritised in line with these required capability improvements.
- In line with the **ACC’s international capability strategy**, the ACC will ensure it is able to respond to the global nature of serious and organised transnational criminals impacting on Australia by leveraging international networks and partnerships to ensure a holistic intelligence picture and response.
 - In 2015–16, the ACC will commence bespoke out-posting of officers to enhance intelligence exchange and continue to build international partnerships including through the Five Eyes Law Enforcement Group.
- The ACC will **build capability through partnerships** to support multi-agency and whole-of-government priorities and effective national responses to serious and organised crime. Continued shared outcomes and partnerships between stakeholders will ensure an effective national response to serious and organised criminals who seek to exploits gaps in information between agencies, and will leverage existing resources in a more comprehensive and coordinated manner.
 - In 2015–16, the ACC will consolidate existing partnerships including through operational and policy forums and look to build new partnerships in accordance with whole-of-government and ACC Board priorities.

- The ACC will mature **capabilities for prevention** including through identification of legislative and regulatory regimes exploited by serious and organised criminals and support to counter the networked nature of serious and organised crime and exploitation of Australia's systems:
 - In 2015–16 the ACC will ensure a comprehensive focus on the review of the ACC Act and develop prevention initiatives in line with whole-of-government responses.
- The ACC will seek opportunities **to improve its resource base** so as to continue to effectively perform its functions and produce public benefit whilst responsibly managing within its available resources.
 - In 2015-16 the ACC will pursue opportunities to increase its revenue streams and undertake planning for any necessary adjustments to the span and scope of operational activity to match the available resources.
- The ACC will **ensure flexibility to respond to requirements** of ministers, the Government or the ACC Board. This includes capability changes to incorporate new or additional functions such as responses to counter-terrorism or Machinery of Government changes.
 - In 2015–16, the ACC will ensure diversified capability to incorporate the research functions of the Australian Institute of Criminology into the ACC and ensure capability development to continue to support the whole-of-government counter-terrorism response.

Risk oversight and management

A summary of the risk oversight and management systems of the agency

The ACC's management committee structure is headed by a Commission Executive Committee (CEC), chaired by the CEO and comprising the three Executive Directors.

The CEC oversees and controls resource expenditure, benefits realisation and risk management. The CEC receives reports from the subordinate management committees:

- Organisational Health Committee (OHC), which oversees and responds to strategic issues of organisational health, performance and effective function
- Organised Crime Management Committee (OCMC), which manages, resolves or further escalates any risks or delivery issues that are identified or referred to it by committee members, Heads of Determinations (investigations and operations) or other committees
- Technology Governance Committee (TGC), which considers escalated issues relating to technology related-risks
- Audit Committee, which reviews internal and external audit reports, considers findings and recommendations and oversees the internal audit program.

Each of these subordinate management committees is chaired by an Executive Director.

The Executive Directors are also business leads for overseeing the ACC's key risks. As business leads, their role is to consider the impact of the key risk(s) to the ACC, including the benefits at risk, and provide reasonable assurance to the CEO that the control environment is fit-for-purpose. Senior executive key control owners are assigned to manage processes, programs and other key controls to mitigate the impacts of these key risks and ensure benefits are realised.

Risk management priorities are considered within the management committee structure and through the quarterly strategic risk report, tabled at the OHC. This report includes a strategic risk profile and a strategic risk assurance map. It also contains a forward-looking view of the ACC's strategic and security context, and describes the worst case scenarios, the benefits at risk and the impact of each key risk. The assurance map identifies the key controls and their control effectiveness rating. Business Leads add areas of focus to the map as required to manage emerging risk.

The ACC undertakes its activities in an inherently high risk environment (see pages 4–6). The complexity of its governance oversight, current fiscal constraints, and the sophistication of organised crime, requires the ACC to understand and manage risks in a way that maximises its potential to disrupt the business model of serious and organised crime by sensibly engaging with risk.

