



We **discover, understand**  
and **respond** to federally relevant  
serious and organised crime.



# Chapter 8

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## Appendix A: List of requirements

Part of report	Description	Requirement	References
	Letter of transmittal	Mandatory	Inside front cover
	Table of contents	Mandatory	Page 3
	Index	Mandatory	Page 270
	Glossary	Mandatory	Page 266
	Contact officer(s)	Mandatory	Inside back cover
	Internet home page address and Internet address for report	Mandatory	Inside back cover
<b>Review by Secretary</b>			
	Review by departmental secretary	Mandatory	Pages 14–19
	Summary of significant issues and developments	Suggested	Pages 14–19
	Overview of department's performance and financial results	Suggested	Pages 12 and 14–19
	Outlook for following year	Suggested	Pages 18–19
	Significant issues and developments—portfolio	Portfolio departments (Suggested)	Not applicable
<b>Departmental overview</b>			
	Role and functions	Mandatory	Pages 1 and 8–11
	Organisational structure	Mandatory	Pages 9 and 134
	Outcome and program structure	Mandatory	Page 20
	Where outcome and program structures differ from PB Statements/PAES or other portfolio statements accompanying any other additional appropriation bills (other portfolio statements), details of variation and reasons for change	Mandatory	Not applicable
	Portfolio structure	Portfolio departments (Mandatory)	Not applicable
<b>Report on performance</b>			
	Review of performance during the year in relation to programs and contribution to outcomes	Mandatory	Pages 22–35 Chapters 2–4
	Actual performance in relation to deliverables and KPIs set out in PB Statements/PAES or other portfolio statements	Mandatory	Pages 2–35 and 233

Part of report	Description	Requirement	References
	Where performance targets differ from the PBS/PAES, details of both former and new targets, and reasons for the change	Mandatory	Not applicable
	Narrative discussion and analysis of performance	Mandatory	Chapters 1–5
	Trend information	Mandatory	Pages 28–35
	Significant changes in nature of principal functions/services	Suggested	Not applicable
	Performance of purchaser/provider arrangements	Suggested, if applicable	Not applicable
	Factors, events or trends influencing departmental performance	Suggested	Not applicable
	Contribution of risk management in achieving objectives	Suggested	Pages 142–46 and 153
	Performance against service charter customer service standards, complaints data, and the department’s response to complaints	Mandatory, if applicable	Not applicable
	Discussion and analysis of the department’s financial performance	Mandatory	Pages 142–47 and 153
	Discussion of any significant changes in financial results from the prior year, from budget or anticipated to have a significant impact on future operations.	Mandatory	Not applicable
	Agency resource statement and summary resource tables by outcomes	Mandatory	Pages 193 and 265
<b>Management and accountability</b>			
Corporate governance			
	Agency heads are required to certify their agency's actions in dealing with fraud	Mandatory	Inside front cover
	Statement of the main corporate governance practices in place	Mandatory	Pages 132–166
	Names of the senior executive and their responsibilities	Suggested	Pages 135–141
	Senior management committees and their roles	Suggested	Pages 141–43
	Corporate and operational plans and associated performance reporting and review	Suggested	Pages 144–150
	Internal audit arrangements including approach adopted to identifying areas of significant financial or operational risk and arrangements to manage those risks	Suggested	Pages 151–53

## Appendix A: List of requirements (continued)

Part of report	Description	Requirement	References
	Policy and practices on the establishment and maintenance of appropriate ethical standards	Suggested	Pages 151–57
	How nature and amount of remuneration for SES officers is determined	Suggested	Page 177
<b>Management and accountability</b>			
External scrutiny			
	Significant developments in external scrutiny	Mandatory	Not applicable
	Judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner	Mandatory	Pages 166–68
	Reports by the Auditor-General, a Parliamentary Committee, the Commonwealth Ombudsman or an agency capability review	Mandatory	Page 165
Management of human resources			
	Assessment of effectiveness in managing and developing human resources to achieve departmental objectives	Mandatory	Pages 179–184
	Workforce planning, staff retention and turnover	Suggested	Pages 178–184
	Impact and features of enterprise or collective agreements, individual flexibility arrangements (IFAs), determinations, common law contracts and Australian Workplace Agreements (AWAs)	Suggested	Page 177–78
	Training and development undertaken and its impact	Suggested	Pages 180–84
	Work health and safety performance	Suggested	Pages 184 and 250–53
	Productivity gains	Suggested	Not applicable
	Statistics on staffing	Mandatory	Pages 170–74 and 260–65
	Statistics on employees who identify as Indigenous	Mandatory	Page 264
	Enterprise or collective agreements, IFAs, determinations, common law contracts and AWAs	Mandatory	Pages 177–78
	Performance pay	Mandatory	Page 177

Part of report	Description	Requirement	References
<b>Assets management</b>			
	Assessment of effectiveness of assets management	If applicable, mandatory	Page 193
<b>Purchasing</b>			
	Assessment of purchasing against core policies and principles	Mandatory	Pages 194–95
<b>Consultants</b>			
	The annual report must include a summary statement detailing the number of new consultancy services contracts let during the year; the total actual expenditure on all new consultancy contracts let during the year (inclusive of GST); the number of ongoing consultancy contracts that were active in the reporting year; and the total actual expenditure in the reporting year on the ongoing consultancy contracts (inclusive of GST). The annual report must include a statement noting that information on contracts and consultancies is available through the AusTender website.	Mandatory	Page 195
<b>Australian National Audit Office Access Clauses</b>			
	Absence of provisions in contracts allowing access by the Auditor-General	Mandatory	Page 195
<b>Exempt contracts</b>			
	Contracts exempted from publication in AusTender	Mandatory	Page 195
<b>Small business</b>			
	Procurement initiatives to support small business	Mandatory	Page 195
<b>Financial statements</b>			
	Financial statements	Mandatory	Pages 196–239

## Appendix A: List of requirements (continued)

Part of report	Description	Requirement	References
<b>Other mandatory information</b>			
	Work health and safety (Schedule 2, Part 4 of the <i>Work Health and Safety Act 2011</i> )	Mandatory	Pages 184 and 250–53
	Advertising and Market Research (section 311A of the <i>Commonwealth Electoral Act 1918</i> ) and statement on advertising campaigns	Mandatory	Page 259
	Ecologically sustainable development and environmental performance (section 516A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> )	Mandatory	Pages 185–87
	Compliance with the agency's obligations under the <i>Carer Recognition Act 2010</i>	Mandatory, if applicable	Not applicable
	Grant programs	Mandatory	Page 195
	Disability reporting—explicit and transparent reference to agency-level information available through other reporting mechanisms	Mandatory	Page 176
	Information Publication Scheme statement	Mandatory	Pages 166 and 254–58
	Correction of material errors in previous annual report	Mandatory, if applicable,	Not applicable
	Agency Resource Statements and Resources for Outcomes	Mandatory	Pages 193 and 265
	List of requirements	Mandatory	Pages 242–46

## Appendix B: PBS excerpt

As required, this report reviews our performance against the outcome strategy, deliverables and key performance indicators in our 2014–15 PBS. The relevant excerpt is included here. Our complete PBS is at <[www.crimecommission.gov.au](http://www.crimecommission.gov.au)>.

### Outcome 1

Reduced serious and organised crime threats of most harm to Australians and the national interest including through providing the ability to understand, discover and respond to such threats.

### Outcome 1 strategy

The ACC’s strategic approach of discovering new and emerging threats, understanding them more deeply, prioritising against the highest threat and initiating preventative or disruptive responses with its partners, will direct the allocation of resources and ACC capabilities to the serious and organised crime threats of most harm to Australians and the national interest. Core elements of this strategy include providing national strategic advice on serious and organised crime threats and coordinating and participating in national responses with its partners. A highly developed understanding of the threats posed by serious and organised crime will underpin the ACC’s provision of specialised criminal intelligence capabilities and will focus response strategies on targets that pose the highest risk to Australians. The ACC will specifically focus on two core areas—building capability and working with partners—to deliver its outcomes and guide internal strategy development.

### Program 1.1

Australian Crime Commission

### Program 1.1 objective

Aiming to reduce threats of most harm to Australians and the national interest, the ACC will discover and understand new and emerging threats and will fill intelligence gaps, enabling it to build the national picture of serious and organised crime. The ACC will respond by prioritising its work to better understand the highest risks. This will lead to developing new prevention strategies and contributing to nationally coordinated actions and activities. Under the guidance of its Board, the ACC will utilise special investigations, intelligence operations and joint task forces and collaborate with partners to better understand the serious and organised crime environment and will influence or enable appropriate responses. The ACC will provide strategic criminal intelligence for its partner agencies across all levels of government. Combined with the specialist capabilities of the ACC, this will help build a more comprehensive national picture of serious and organised crime. Efforts will continue to be focused on preventing and disrupting serious and organised crime groups by seeking to harden the environment and by disabling or dismantling them through enforcement, regulation, policy or legislative responses.



## Appendix B: PBS excerpt (continued)

Program 1.1 deliverables	Reference
Ongoing development of National Criminal Intelligence Priorities, for endorsement by the ACC Board, which inform the criminal intelligence collection requirements of Commonwealth, state and territory law enforcement agencies, and contribute to the national understanding of serious and organised crime.	Page 118
A biennial Organised Crime Threat Assessment, which underpins the Commonwealth's strategic response to combating organised crime.	Page 41
Provision of national advice on serious and organised crime.	Chapter 2
Intelligence that identifies and provides insights on new and emerging serious and organised crime threats, trends and methodologies, significant criminal targets and emerging issues.	Discover KPI 1 in scorecard on page 24 and page 28
The filling of intelligence gaps through the identification of vulnerabilities and indicators of serious and organised crime.	Discover KPI 2 in scorecard on page 24 and page 29
Influential strategic intelligence reports, which provide partner agencies with intelligence that supports them to focus resources and strategies to combat serious and organised crime.	Chapter 2
Leading-edge intelligence-sharing mechanisms, including the National Criminal Intelligence Fusion Capability, to enhance law enforcement intelligence holdings and support the achievement of strategic and operational outcomes.	Pages 114–124
In collaboration with law enforcement and related Commonwealth, state and territory government agencies, undertaking intelligence operations and special investigations, which gather relevant information about the extent, impact and threat of criminal activity.	Chapters 3 and 4
Provision of a national criminal intelligence database and analytical tools, which facilitate the sharing and analysis of criminal intelligence across jurisdictions.	Pages 119–124
Use of specialist capabilities, including coercive powers, under special intelligence operations and special investigations, which enables the ACC to collect information that may not otherwise be available to law enforcement.	First part, Chapters 3 and 4
In addition to collecting criminal intelligence, special investigations are designed to disrupt and deter criminal activity through arrests and seizure of illegally obtained assets, in cooperation with partner agencies.	Second part, Chapter 3 and aspects of second 'Respond' KPI on page

Program 1.1 key performance indicators	Reference
<p>The ACC has a commitment to better indicate value and report the quality of ACC results. The new performance measurement framework that commenced in 2013 will be further developed over the five-year operation of the ACC Strategic Plan (2013–18). New systems are being developed to collect performance data against the following indicators and will be complemented by traditional quantitative performance measures.</p> <ul style="list-style-type: none"> <li>■ The ACC produces useful intelligence that identifies and provides insights on new and emerging serious and organised crime threats.</li> <li>■ The ACC fills intelligence gaps through the identification of vulnerabilities and indicators of serious and organised crime.</li> <li>■ The ACC collects and maintains national intelligence holdings of serious and organised crime threats and targets.</li> <li>■ The ACC interprets and analyses national holdings to create a national serious and organised crime intelligence picture.</li> <li>■ The ACC informs and influences hardening of the environment against serious and organised crime.</li> <li>■ The ACC influences or enables the disruption, disabling or dismantling of serious and organised crime.</li> <li>■ The ACC participates in or coordinates collaboration in joint investigations and operations to prevent and disrupt serious and organised crime.</li> </ul>	<p>Scorecard on pages 22–35</p>

## Appendix C: Work health and safety

### Work health and safety priorities for 2014–15

This year we:

- continued working closely with our Senior Executive to ensure they understand their due diligence obligations and have sufficient systems in place to meet these obligations
- strengthened our risk management arrangements with a focus on operational environments and contexts
- refined our Rehabilitation Management System and completed the second annual audit as required by legislation
- fostered our partnership with Comcare
- continued our mandatory workplace drug and alcohol testing program
- introduced a new Employee Assistance Program provider
- developed a work health and safety (WHS) communication strategy.

### Health and safety leadership

In September 2014 the CEO requested that we establish a high level Work Health and Safety Working Group to build a positive safety culture through leadership, communication and consultation. The working group comprises members from senior managers across corporate, strategic and operational arms of the ACC. Through the working group we have completed a range of health and safety strategies including:

- comprehensive risk registers and review processes
- enhanced communication and engagement with staff regarding health and safety
- review of health and safety for international postings
- due diligence frameworks for Senior Executive.

This group was disbanded in March 2015 as its purpose was completed.

### Work health and safety management arrangements

#### National Work Health and Safety Committee

Our National Work Health and Safety Committee meets quarterly and is responsible for:

- supporting the ACC Executive by helping identify, develop, review and implement measures to protect and actively manage the health and safety of workers
- promoting and monitoring measures to ensure safe work practices

- facilitating consultation and communication with workers about WHS matters
- undertaking functions as prescribed in the *Work Health Safety Act 2011* or Regulations.

### Consultative arrangements

Our National Work Health and Safety Committee is the conduit for consultation with employees on all WHS issues. Local Work Health and Safety Committees meet regularly and provide input to the National Committee.

To support consultation and enhance communication, this year we developed and implemented a WHS communication strategy:

- to advise all workers on important WHS issues
- encourage active participation in WHS
- promote our health and wellbeing programs.

## Initiatives to ensure the health, safety and wellbeing of workers

We are committed to maintaining a safe and healthy workplace and empowering the health, safety and wellbeing of workers. Key programs are outlined below.

### ACActive Health and Wellbeing Program

Our ACActive Health and Wellbeing Program continues to evolve with staff input, reviews of better practice and new initiatives. The annual program is moving into its seventh year and aims to:

- help staff make positive health and behaviour changes
- promote a culture that supports healthy and positive lifestyles
- provide a central source for health and wellbeing information and resources
- inspire staff to take ownership of ACActive initiatives in their offices
- encompass a broad view of health including physical, mental and social aspects
- demonstrate our commitment to the health and wellbeing of employees and their families
- provide flu vaccinations (to 258 employees 2014–15).

### Prevention programs

We take a proactive approach to identify and control hazards in the workplace and to prevent injury. We continue to identify and assess hazards within work areas and ensure that risk control strategies are in place. This year we:

- began enhancing our corporate and operational risk registers
- trained employees as workstation assessors in each ACC office to conduct assessments for staff who do not have a pre-existing condition or injury

## Appendix C: Work Health and Safety (continued)

- provided access to an Employee Assistance Program and Manager Assist mediation services, and other employee information and support services
- implemented targeted and random, unannounced drug and alcohol testing of high risk and non-high risk employees (214 employees tested)
- conducted regular workplace inspections to identify hazards and appropriate control measures
- provided manual handling training
- promoted the Harassment Contact Officer network and included an Harassment Contact Officer representative at National Work Health Safety Committee Meetings.

### Drug and alcohol testing

Our drug and alcohol policy seeks to identify and eliminate harm arising from the effects of drugs and alcohol in the workplace. Our policy aims to deter drug and alcohol misuse by employees.

Our policy on drugs and alcohol is:

- zero tolerance in relation to the use, possession, sale and distribution of illicit drugs for all ACC employees at all times
- zero blood alcohol concentration for ACC employees working in high risk areas and less than 0.05 blood alcohol concentration for all other ACC employees while at an ACC workplace or on official ACC duty.

In 2014–15, we completed 214 targeted and random, unannounced workplace drug and alcohol tests and there were no positive test results.

## Health and safety performance

### Workers compensation

The Agency Premium Rate provides an indication of the employer's effectiveness in preventing injury or illness and in helping its employees to return to work quickly and safely after a work-related injury or illness. We are committed to supporting employees with work-related injuries or illness and, as outlined in our Rehabilitation Management System, early intervention is a key strategy.

Our premium rate for 2015–16 was set at 2.09 per cent, an increase from the previous year.

An increased focus on early intervention, particularly for psychological conditions, is required to bring the premium rate back down to earlier low levels.

Six accepted compensation claims for injuries/disease occurred during 2014–15, an increase of two from the previous year.

### Accepted compensation claims

Year	Accepted compensation claims
2011–12	5
2012–13	6
2013–14	4
2014–15	6

### Incident and injury

There were 42 injuries or incidents internally reported in 2014–15. This is 11 more than the previous year, with body stressing (for example, muscle strains) continuing to be the most common incident mechanism.

Incidents are displayed below by mechanism of injury.

### Mechanism of injury

Mechanism of injury	2013–14	2014–15
Being hit by moving object	0	2
Biological factors	0	0
Body stressing	16	17
Falls, trips, slips	5	6
Other and unspecified	8	10
Heat and electrical	0	1
Hazard report	2	6
<b>Total</b>	<b>31</b>	<b>42</b>

In 2014–15, we engaged industry professionals to assist with:

- external rehabilitation assessment and management services for both compensable and non-compensable injuries
- workstation assessments for staff as a result of pain and discomfort, injury, change in work practices or when new equipment was installed
- mediation services
- WHS workplace training for manual handling.

### Accident or dangerous occurrence statistics

Under section 38 of the *Work Health and Safety Act 2011*, we are required to notify Comcare immediately after becoming aware of any deaths, serious personal injury or dangerous incident.

There were three notifiable incidents during 2014–15. We reviewed these incidents and implemented corrective actions to reduce the risk or further occurrences.

### Work health and safety investigations

We were not subject to any external work health and safety investigations in 2014–15.

## Appendix D: Freedom of Information report

During 2014–15, the ACC received 38 requests for information under the *Freedom of Information Act 1982* (FOI Act).

### Statement

Statement under section 8 of the FOI Act.

Prior to reforms that came into effect on 1 May 2011, section 8 of the FOI Act required agencies to publish annually statements containing particulars and information about their organisation, functions, decision-making powers, consultative arrangements, categories of documents maintained and facilities and procedures to enable members of the public to obtain access to documents under the FOI Act. These statements were required by the FOI Act to be included in the annual report of each agency.

From 1 May 2011 agencies subject to the FOI Act are required to publish information to the public as part of the Information Publication Scheme (IPS). This requirement is in Part II of the FOI Act and has replaced the former requirement to publish a section 8 statement in an annual report. An agency plan showing what information is published under the IPS requirements is accessible from the ACC's website.

The following statement is correct as at 30 June 2015.

### Establishment

The ACC was established by the *Australian Crime Commission Act 2002* (ACC Act), and commenced operations on 1 January 2003. The ACC was created by the amalgamation of three agencies: the National Crime Authority; the Australian Bureau of Criminal Intelligence; and the Office of Strategic Crime Assessments.

### Organisation

The ACC is a Commonwealth statutory body established under section 7(1) of the ACC Act, and a prescribed agency for the purposes of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

Section 7(2) of the ACC Act states that the ACC consists of: a) the CEO b) the Examiners c) the members of the staff of the ACC.

The ACC's functions are listed under section 7A of the ACC Act. They are:

- a) to collect, correlate, analyse and disseminate criminal information and intelligence and to maintain a national database of that information and intelligence
- b) to undertake, when authorised by the Board, intelligence operations
- c) to investigate, when authorised by the Board, matters relating to federally relevant criminal activity

- (ca) to do any of the following (whether in its own name or through officers or members of staff of the ACC), as permitted or required for the purposes of Part IAB or IABA of the *Crimes Act 1914* or any other law of the Commonwealth
  - i) to apply for, and to grant, integrity authorities in relation to members of staff of the ACC
  - ii) to conduct and participate in integrity operations in relation to members of staff of the ACC
  - iii) to assist the Australian Federal Police, Customs or the Australian Commission for Law Enforcement Integrity in making applications for integrity authorities
  - iv) to assist those agencies in the conduct of integrity operations
- d) to provide reports to the Board on the outcomes of those operations and investigations
- e) to provide strategic criminal intelligence assessments, and any other criminal information and intelligence to the Board
- f) to provide advice to the Board on National Criminal Intelligence Priorities
- g) such other functions as are conferred on the ACC by their provisions of the ACC Act or by any other Act.

## Decision-making powers and powers affecting members of the public

The ACC has powers which may affect members of the public. The ACC has, in certain circumstances, the power to:

- a) require information from certain Commonwealth agencies
- b) receive information from a state, or an authority of a state under arrangements made by the Commonwealth Minister
- c) make arrangements with any other body or person to receive information
- d) apply for the issue of a search warrant, in some cases by telephone
- e) summon a person to appear before it to give evidence
- f) require a person to produce documents
- g) apply for a court order requiring a witness to deliver his/her passport to the ACC
- h) apply for a warrant for the arrest of a witness considered likely to leave Australia
- i) apply for a warrant for the interception of communications or access to stored communications
- j) authorise the disclosure of telecommunications data on a historical basis, or, when investigating a criminal offence punishable by at least 3 years imprisonment, on a prospective basis
- k) apply to a court for a witness to be dealt with for contempt
- l) apply for a surveillance device warrant in its own right for the investigation of certain federal offences and for certain state offences with a federal aspect.



## Appendix D: Freedom of Information report (continued)

### External consultation

The ACC Board exists independently of the ACC. The Board determines National Criminal Intelligence Priorities, provides strategic direction, and determines whether intelligence operations or investigations are special operations or special investigations. The Board also establishes task forces and reports to the Inter-Governmental Committee on the ACC on the ACC's performance.

The Inter-Governmental Committee on the ACC monitors generally the work of the ACC and the ACC Board and oversees the strategic direction of the ACC and the ACC Board. The Inter-Governmental Committee on the ACC comprises the relevant Commonwealth Minister and a Minister from each participating state and territory.

The Parliamentary Joint Committee on Law Enforcement has a role to monitor and review the ACC. Although not specifically provided for in the ACC Act, the ACC consults with the Ministerial Council for Police and Emergency Management—Police, and the Heads of Commonwealth Operational Law Enforcement Agencies.

### Categories of documents

The following documents are available from <[www.comlaw.gov.au](http://www.comlaw.gov.au)>:

- *Australian Crime Commission Act 2002*
- Australian Crime Commission Regulations.

In addition, the following documents are available from the ACC on request:

- National Crime Authority annual reports 1984–85 to 2001–02
- Australian Crime Commission annual reports 2002–03 to 2014–15 (also on our website)
- National Complex White Collar Crime conference papers (June 1992)
- Working Party papers—Proceeds of Crime Conference (June 1993)
- National Proceeds of Crime conference papers (June 1993)
- Liberty, Law enforcement accountability—National Conference with the Victorian Council for Civil Liberties, Proceedings (April 1993)
- Strategic Crime Intelligence Explained (June 1994)
- Operation Cerberus, Italo-Australian Organised Crime—Bulletin (November 1995)
- Assessment for the Potential for Fraud in the Australian Superannuation System (November 1996)

- Organised Crime in Australia—National Crime Authority Commentary 2001
- Organised Crime in Australia 2008, 2009, 2011, 2013 and 2015 (also on our website)
- Australian Illicit Drug Data Reports 1989–90 to 2001–02
- Illicit Drug Data Reports 2002–03 to 2013–14 (also on our website)
- Public Information Statement, Examinations conducted under the *Australian Crime Commission Act 2002*
- ID Crime—When Bad Things Happen to Your Business’ Good Name
- ID Crime—When Bad Things Happen to Your Good Name
- Accord Newsletter—Issue 1
- Horizons—unclassified intelligence reports (Issues 1–3)
- Intelligence Product Guide
- Problem Sexual Behaviour in Children: A review of the literature (also on our website)
- Australia’s Response to Sexualised or Sexually Abusive Behaviours in Children and Young People (also on our website)
- ACC Reconciliation Action Plan
- Australian Crime Commission Strategic Plan 2013–18
- ACC Assumed Identities Annual Report 2006–2007
- Submissions to the Parliamentary Joint Committee on Law Enforcement, Parliamentary Joint Committee on the ACC and Parliamentary Joint Committee on the National Crime Authority. Refer to the Parliamentary Joint Committee website <[www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Law\\_Enforcement](http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement)>.

The ACC holds the following categories of documents:

- agendas, submissions, papers and minutes of board meetings, conferences and other senior staff meetings
- confidential transcripts of examinations conducted under Part II Division 2 of the *Australian Crime Commission Act 2002*.

## Appendix D: Freedom of Information report (continued)

### Access to documents

All applications for access to documents in the possession of the ACC are handled in the Canberra office of the ACC. The ACC also has offices in Melbourne, Brisbane, Adelaide, Perth, Sydney, Hobart and Darwin and arrangements can be made in each location for viewing documents, depending on the location of the applicant.

Requests under the provisions of the FOI Act should be addressed to:

**FOI Coordinator**  
**Australian Crime Commission**  
**GPO Box 1936**  
**CANBERRA ACT 2601**

Further information is available on our website <[www.crimecommission.gov.au](http://www.crimecommission.gov.au)> under the FOI and Information Publication Scheme links.

## Appendix E: Advertising and market research

In 2014–15 the ACC did not make any payments for polling, direct mail or campaign advertising.

The ACC did not make any payments related to non-campaign advertising that were higher than the reporting threshold of \$12 565.

A total of \$29 810 (including GST) was paid to Essence Communications Pty Ltd to undertake a stakeholder-related survey.

## Appendix F: Employee statistics

Secondees and task force staff by home agency and jurisdiction as at 30 June

Agency	Secondees funded by ACC		Secondee funded by jurisdiction		Task force staff funded by jurisdiction	
	2013–14	2014–15	2013–14	2014–15	2013–14	2014–15
Australian Commission for Law Enforcement Integrity			3	1		
Australian Federal Police	4	5	2	2	18	15
Australian Securities and Investments Commission					3	
Australian Taxation Office		2	4	1	10	3
Australian Transaction Reports and Analysis Centre			2	2		2
Australian Customs and Border Protection Service	1	2	5		3	2
Australian Defence Force				1		
Clean Energy Regulator				1		
Department of Foreign Affairs and Trade			1	1		
Department of Human Services	1		1	1	1	
Department of Immigration and Border Protection	1			2		
New South Wales Crime Commission					1	
NSW Police Force					6	2
Northern Territory Police	1	1				
Queensland Police Service	2	3				5
South Australia Police	2	1	2	1	1	2
Tasmania Police	1	1				
Victoria Police	6	3			3	3
Western Australia Police	4	5				1
<b>Total</b>	<b>23</b>	<b>23</b>	<b>20</b>	<b>13</b>	<b>46</b>	<b>35</b>

APS staff employment capacity by location as at 30 June

Location	Full-time		Part-time		Casual	
	2013–14	2014–15	2013–14	2014–15	2013–14	2014–15
Sydney	108	116	21	17	1	1
Canberra	165	182	17	19		
Melbourne	100	96	11	14		
Brisbane	64	70	12	7		2
Adelaide	25	21	12	10		
Perth	22	23	2	2		
Alice Springs	1					
Darwin	1			1		
<b>Total</b>	<b>486</b>	<b>508</b>	<b>75</b>	<b>70</b>	<b>1</b>	<b>3</b>

APS staff by classification as at 30 June

Classification	Classification totals	
	2013–14	2014–15
APS 2	3	2
APS 3	35	32
APS 4	81	84
APS 5	81	80
APS 6	87	88
EL 1	190	205
EL 2	69	74
SES Band 1	6	8
SES Band 2	3	2
CEO	1	1
Examiner	6	5
<b>Total</b>	<b>562</b>	<b>581</b>

## Appendix F: Employee statistics (continued)

### APS staff by classification and location as at 30 June

Classification	Sydney		Canberra		Melbourne		Brisbane	
	2013–14	2014–15	2013–14	2014–15	2013–14	2014–15	2013–14	2014–15
APS 2					1		1	1
APS 3	8	7	3	2	12	11	5	5
APS 4	22	24	29	29	13	13	14	16
APS 5	22	26	29	29	12	11	8	9
APS 6	13	13	42	42	17	18	8	6
EL 1	49	51	48	57	42	44	27	29
EL 2	13	12	22	33	12	10	12	11
SES Band 1	1		5	6		1		1
SES Band 2			3	2				
CEO			1	1				
Examiner	2	1			2	2	1	1
<b>Total</b>	<b>130</b>	<b>134</b>	<b>182</b>	<b>201</b>	<b>111</b>	<b>110</b>	<b>76</b>	<b>79</b>

Classification	Adelaide		Perth		Alice Springs		Darwin	
	2013–14	2014–15	2013–14	2014–15	2013–14	2014–15	2013–14	2014–15
APS 2	1	1						
APS 3	4	4	3	3				
APS 4	2	1	1	1				
APS 5	8	5	2					
APS 6	5	5	2	4				
EL 1	10	9	13	14			1	1
EL 2	6	5	3	3	1			
SES Band 1								
SES Band 2								
CEO								
Examiner	1	1						
<b>Total</b>	<b>37</b>	<b>31</b>	<b>24</b>	<b>25</b>	<b>1</b>		<b>1</b>	<b>1</b>

Note: Our Alice Springs office closed on 30 June 2014.

APS staff gender distribution by classification as at 30 June

Classification	Women		Men	
	2013–14	2014–15	2013–14	2014–15
APS 2	2	1	1	1
APS 3	29	27	6	5
APS 4	50	54	31	30
APS 5	56	59	25	21
APS 6	45	49	42	39
EL 1	64	64	126	141
EL 2	25	27	44	47
SES Band 1	2		4	8
SES Band 2	1	1	2	1
CEO			1	1
Examiner	1	1	5	4
<b>Total</b>	<b>275</b>	<b>283</b>	<b>287</b>	<b>298</b>

APS staff turnover as at 30 June

Termination reason	2013–14	2014–15
Move to other APS agency	14	16
Resignation	34	23
Voluntary redundancy	10	14
Retired after age 55	3	5
Invalidity retirement		1
Completed non-ongoing contract	3	4
Retired under section 37 (SES)	1	
Early termination of non-ongoing contract		1
Involuntary redundancy		4
Loss of qualification (Term 29-3b)		1
<b>Total</b>	<b>65</b>	<b>69</b>



## Appendix F: Employee statistics (continued)

Ongoing and non-ongoing APS employees as at 30 June 2015

Category	Ongoing	Non-ongoing
<b>Classification level</b>		
APS 2	2	
APS 3	31	1
APS 4	68	16
APS 5	69	11
APS 6	82	6
EL 1	202	3
EL 2	69	5
SES Band 1	8	
SES Band 2	2	
CEO	1	
Examiner		5
<b>Full-time/Part-time status</b>		
Full-time	471	37
Part-time	62	11
<b>Gender</b>		
Male	278	20
Female	255	28
<b>Location</b>		
Sydney	129	5
Canberra	175	27
Melbourne	105	5
Brisbane	71	7
Adelaide	27	4
Perth	25	
Darwin	1	

Staff who identify as Indigenous as at 30 June

Year	Ongoing	Non-ongoing
2013–14	8	0
2014–15	9	0

## Appendix G: Agency resource statement table

### Agency Resource Statement 2014–15

	Actual available appropriations for 2014–15 \$'000	Payments made 2014–15 \$'000	Balance remaining \$'000
	(a)	(b)	(a-b)
<b>Ordinary annual services</b>			
<b>Departmental appropriation</b>			
Prior year departmental appropriation (incl. S.74 Relevant agency receipts)	\$28.588	\$28.588	\$0
Departmental appropriation (including Departmental Capital Budget)	\$98.193 <sup>1</sup>	\$67.062 <sup>2</sup>	\$31.131
S.74 Relevant agency receipts	\$15.843 <sup>2</sup>	\$14.400	\$1.443
<b>Total ordinary annual services</b>	<b>\$142.624</b>	<b>\$110.050</b>	<b>\$32.574</b>
<b>Other services</b>			
<b>Departmental non-operating</b>			
Equity injections <sup>3</sup>	\$3.422	\$200	\$3.222
<b>Total other services</b>	<b>\$3.422</b>	<b>\$200</b>	<b>\$3.222</b>
<b>Total resourcing and payments</b>	<b>\$146.046</b>	<b>\$110.250</b>	<b>\$35.796</b>

1. The annual department appropriation includes \$0.023 million quarantined and unavailable for use due to the implementation of the mandatory telecommunications data retention measure.
2. The S.74 relevant agency receipts and the payments from departmental appropriation not adjusted for GST.
3. The equity injection funded for counter terrorism and national security was \$3.422 million, of which \$3.222 million has been re-phased to future years.

# Glossary

## **Amphetamine-type stimulants**

A general term for the amphetamine-based group of drugs including MDMA (ecstasy) and methylamphetamine (ice). The full and correct name for MDMA is 3,4-methylenedioxy-N-methylamphetamine. However more widely used term 3,4- methylenedioxy-methylamphetamine is used in this report. MDMC (or 3,4-methylenedioxy-methylcathinone) is a controlled drug used as an 'ecstasy substitute'. Other naming conventions are acceptable including 3,4-MDMC and *bk*-MDMA.

## **Coercive powers**

See 'special powers'.

## **National Organised Crime Response Plan 2015–18**

This plan outlines how the Commonwealth, states and territories will work together over the next three years to address a number of key threats from serious and organised crime including the increasing prevalence of drugs such as ice and gun-related crime and violence.

## **Commonwealth Organised Crime Strategic Framework**

A comprehensive and coordinated framework for a whole-of-government response to target the most significant threats from organised crime.

## **Controlled operation**

An operation to obtain evidence that may lead to the prosecution of a person for a serious Commonwealth offence, or a serious state offence with a federal aspect, that may involve an ACC officer or supervised civilian in acts or omissions that would (but for the operation of a legal indemnity) constitute an offence. A controlled operation may cover a range of different factual scenarios, for example the passage of illicit drugs (or a sample) through international customs in order to identify, apprehend and prosecute those involved in drug trafficking.

## **Criminal intelligence systems**

Information technology-based systems that facilitate dissemination and sharing of criminal intelligence, including databases containing intelligence holdings that can be accessed and analysed by approved users.

## **Desk (ALEIN)**

The ALEIN Information Desks provide ALEIN users with a limited means of publishing and sharing information and data. The Information Desks are created in a web-like environment to collate and share information and intelligence in thematic groups. 'Desks' may be restricted to facilitate secure sharing of information and intelligence among authorised and named users.

## **Determination**

When authorising the ACC to undertake an intelligence operation or an investigation, the ACC Board can determine that the ACC can use special powers. Before issuing a determination, the ACC Board must consider whether normal intelligence collection methods or ordinary police methods of investigation have been or are likely to be effective.

## **Disruption/disrupt criminal activity**

Disrupting criminal activity may include interrupting the flow or continuity of the criminal behaviour and/or enterprises of a criminal entity as a direct result of ACC or joint agency operational activity. This may also occur by undermining criminal businesses by exposing their methodologies, releasing intelligence alerts and warnings on their activities and reducing their ability to operate in the criminal markets of their choice. Disruption operational activities may include arrests, seizure of illegal commodities (such as drugs or firearms), proceeds of crime and/or prosecutions.

### **Entity**

We use the term ‘criminal entities’ to refer to groups or individuals. An ‘entity’ is also a generic term describing unique identifiers used to support investigations and operations (for example, identifiers may include persons, addresses, telephone numbers, companies, Australian Business Numbers (ABN) or document numbers).

### **Environment hardening/hardening the environment**

Initiatives or strategies to make it more difficult for organised crime to operate in particular environments, markets or sectors.

### **Estimated street value**

The cost to purchase a drug at the end of the supply chain or ‘on the street’, estimated by considering such factors as (though not limited to) drug purity, location of drug seized, wholesale supply and distribution. Data for calculating the estimated street value is provided by the ACC and partner agency operational areas in addition to our *Illicit Drug Data Report*.

### **(ACC) Examinations**

ACC Examiners can summons a person to attend a compulsory examination and answer questions under oath. The person is entitled to legal representation and the examination is held in private. The evidence gained from an examination cannot be used against the person in a criminal proceeding. A person summonsed to an examination cannot disclose that summons to any person other than their legal representative, unless permitted by the Examiner.

### **(ACC) Examiners**

Examiners are independent statutory officers and experienced legal practitioners who may exercise the ACC’s special (coercive) powers for the purposes of an ACC special investigation or special operation.

### **Federally relevant criminal activity**

The ACC looks at serious and organised crime that is an offence against a law of the Commonwealth or a territory; or an offence against a law of a state and has a federal aspect. A state offence can have a federal aspect if it potentially falls within Commonwealth legislative power or where the ACC’s interest in the state offence is incidental to ACC operations/investigations relating to Commonwealth or territory offences.

### **Fusion (ACC-led National Criminal Intelligence Fusion Capability)**

The ACC was allocated \$14.5 million over four years from 2010–11 to develop the multi-agency Fusion capability. This initiative involves bringing together expert investigators and analysts from across the full range of law enforcement, national security and related agencies to enable greater criminal intelligence analysis and sharing. The Commonwealth Organised Crime Strategic Framework identified this capability to enhance multi-agency responses to organised crime.

### **Harms assessment**

The process for assessing and prioritising the impact of crime issues on Australian society. Harms assessments are drawn from intelligence holdings, open source information and consultation with ACC partner agencies and use both qualitative and quantitative assessment methodologies.

### **Intelligence—strategic, operational and tactical**

Strategic intelligence draws on the ACC’s unique insights to provide information about the nature, extent, impact and trends of serious and organised crime. Strategic intelligence services include the range of ACC products that together make up the *Picture of Criminality in Australia* as well as other strategic intelligence on specific topics. Operational intelligence is gathered and provided as part of the collaborative operations and investigations and may include analysis that informs future operations. Tactical intelligence is also drawn from operational activities and is usually shorter, timely, actionable information about specific details.

## Glossary (continued)

### **MDA (3,4-methylenedioxyamphetamine)**

MDA is an amphetamine-type stimulant. The use of this psychoactive drug predates use of the related substance MDMA, with MDA reported to have slightly more psychedelic effects.

### **MDMA (3,4-methylenedioxymethamphetamine)**

MDMA is an amphetamine-type stimulant. This psychoactive drug is commonly known as ecstasy.

### **National Criminal Intelligence Priorities**

At the strategic level, the ACC Board establishes the National Criminal Intelligence Priorities which provide a comprehensive ranked summary of known national criminal threats affecting Australia and a basis for considering resource allocation and operational deployments. The National Criminal Intelligence Priorities promote effective law enforcement agency planning and responses.

### **Organised Crime Threat Assessment**

Our *Organised Crime Threat Assessment* is a key element of the Commonwealth Organised Crime Strategic Framework. It provides the most comprehensive assessment of the level of risk posed by various organised crime threats, categorised by activity, market and enabler.

### **Picture of Criminality in Australia**

Our suite of strategic intelligence products that make up the picture of organised crime—past, present and future. This suite includes the *Illicit Drug Data Report*, *Organised Crime Threat Assessment*, *Organised Crime in Australia*, *National Criminal Target Report* and *Organised Crime 2025*.

### **Serious and organised crime**

According to the ACC Act, serious and organised crime constitutes an offence that involves two or more offenders, substantial planning and organisation, the use of sophisticated methods and techniques, committed (or of a kind that is ordinarily committed) in conjunction with other offences of a like kind, and is punishable by imprisonment for three years or more.

### **Special investigation**

Special investigations are designed to disrupt and deter criminal groups by collecting evidence and intelligence about criminal activity. Coercive powers may be used in combination with a range of other investigative tools, including telecommunications intercepts, surveillance and controlled operations.

### **Special operation**

Special operations focus on gathering intelligence around particular criminal activity so decisions are informed by the true extent, impact and threat of that criminal activity. Coercive powers may be used as well as other investigative tools if appropriate. These operations can help determine if a special investigation is warranted.

### **Special (coercive) powers**

The ACC has coercive powers similar to those of a Royal Commission, which may be exercised only by ACC Examiners for special intelligence operations or special investigations. The special powers allow the ACC to summons a person to give evidence under oath, require the production of documents, demand information from Commonwealth agencies, apply for a search warrant, and require the production of a passport.

### **Target**

The term is used in two contexts:

- to refer to those entities (persons, groups or syndicates) that are of interest to law enforcement agencies
- to explain the ACC focus on particular areas of criminality (for example, 'a special investigation is targeting money laundering').

# Acronyms and abbreviations

ACC	Australian Crime Commission
ACC Act	<i>Australian Crime Commission Act 2002</i>
ACID	Australian Criminal Intelligence Database
ACIF	Australian Criminal Intelligence Forum
ACLEI	Australian Commission for Law Enforcement Integrity
AFP	Australian Federal Police
AGICC	Australian Gangs Intelligence Coordination Centre
ALEIN	Australian Law Enforcement Intelligence Network
APS	Australian Public Service
ANZPAA	Australia New Zealand Policing Advisory Agency
CSO	Child Sex Offences (special operation)
EL 1 and EL 2	Executive Level 1 and Executive Level 2
FAFT	Financial Action Task Force
FOI	Freedom of information
HRCT	Highest Risk Criminal Targets (special investigation)
HRCT—SA	Highest Risk Criminal Targets—South Australia (special investigation)
HRCT—VIC	Highest Risk Criminal Targets—Victoria (special investigation)
HRED	High Risk and Emerging Drugs (special operation)
ICT	Information and communication technology
JAG	Joint Analyst Group
JMG	Joint Management Group
KPI	Key Performance Indicator
MAHSOC	Making Australia Hostile to Serious and Organised Crime (special operation)
MDA	3,4-methylenedioxyamphetamine
MDMA	3,4-methylenedioxymethamphetamine
NSISOC	National Security Impacts from Serious and Organised Crime (special operation)
NIITF	National Indigenous Intelligence Task Force
OMCG	Outlaw Motor Cycle Gangs (special operation)
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013</i>
PBS	Portfolio Budget Statement
SES	Senior Executive Service
SOCCC	Serious and Organised Crime Coordination Committee
TCW	Targeting Criminal Wealth (special investigation)

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