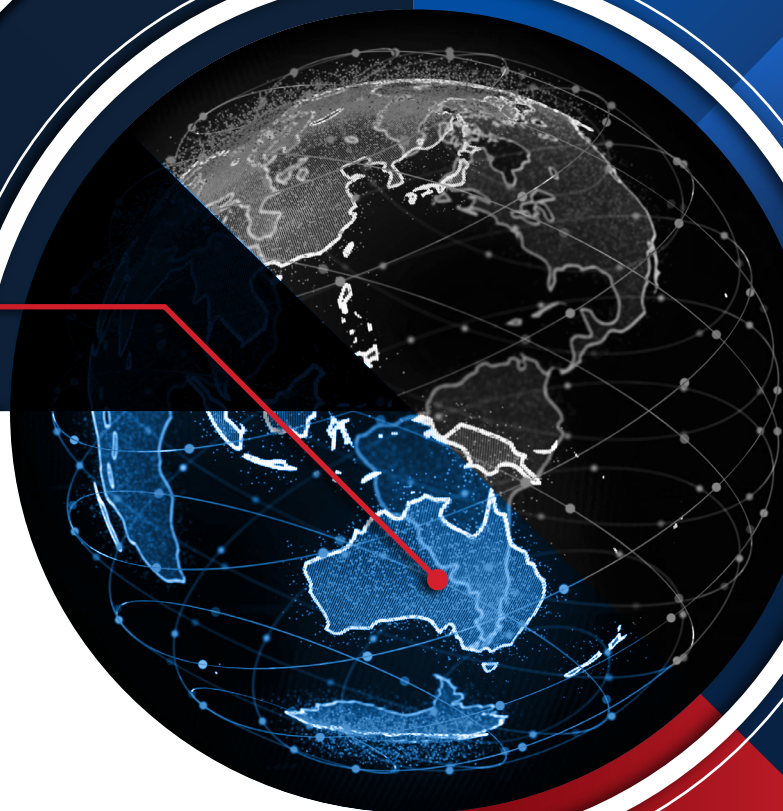




AUSTRALIAN  
**CRIMINAL  
INTELLIGENCE  
COMMISSION**



# **2020–21** **ANNUAL REPORT**

AN AUSTRALIA HOSTILE TO CRIMINAL EXPLOITATION

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We welcome feedback on our annual report, particularly about its readability and usefulness. Please send your feedback to <annualreport@acic.gov.au>.

An electronic version of this report, along with further information about the ACIC and our work, is available on our website at <www.acic.gov.au/publications/annual-reports>.

## Publication details

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# ACIC at a glance

The ACIC is Australia's national criminal intelligence agency with investigative, collection, analysis and information delivery functions. We are part of the national collaborative response to crime affecting Australia.



## Our vision

An Australia hostile to criminal exploitation.



## Our work

- ▶ Enhance the national picture across the spectrum of crime by developing strategic criminal intelligence assessments and advice on transnational serious and organised crime.
- ▶ Work with international and domestic partners to disrupt the activities of serious and organised crime targets and reduce their impact on Australia.
- ▶ Conduct special ACIC operations and special ACIC investigations addressing priority areas.
- ▶ Develop and maintain national information and intelligence sharing services and systems.
- ▶ Deliver background checking services to support employment or entitlement decisions.



## Our purpose

To protect Australia from criminal threats through coordinating a strategic response and collecting, assessing and disseminating intelligence and policing information.

# About this report

This report summarises the performance of the Australian Criminal Intelligence Commission (ACIC) for the financial year ending 30 June 2021, as required by the *Public Governance, Performance and Accountability Act 2013*.

A separate annual report by the Chair of the ACIC Board documents the operations of the ACIC as required by the *Australian Crime Commission Act 2002*.

## How we assess our performance

As a statutory agency within the Home Affairs portfolio, we manage our performance through the outcome and program structure in the Home Affairs portfolio budget statements, and the strategic direction in our corporate plan.

This report details our performance against the performance measures in the portfolio budget statements and corporate plan, and provides information on our financial performance, accountability and management of people and resources.

Our strategic direction statement and corporate plan, and a link to our portfolio budget statements, are available from our website at <[www.acic.gov.au](http://www.acic.gov.au)>.

## How the nature of our work affects our reporting

For operational reasons and because much of our work is classified, we cannot publicly report on some activities.

When activities cease to be sensitive or constrained by legal or statutory requirements, and wherever possible, we are committed to being open and transparent and providing information to the public. This includes producing other reports each year, in both classified and unclassified forms, to enhance understanding of what we do.

In addition, elements of our work are long term and results occur months or years after our initial involvement. Examples include court decisions, policy and law reforms, and changes in industry and community behaviour that inhibit or prevent criminal activities.



# Performance in 2020–21

Performance criterion	Result	Comments
1. The ACIC discovers current and evolving criminal threats to Australia	✓	<b>Met</b> —We coordinated efforts to achieve maximum impact against the highest-risk criminal targets. At 30 June 2021, we were tracking 13 targets at the Australian Priority Organisation Target level and 67 targets at the Regional Priority Organisation Target level.
2. The ACIC produces criminal intelligence products to better inform partners and stakeholder agencies	✓	<b>Met</b> —Our criminal intelligence was collected and combined with information and intelligence from partner agencies to create and share a comprehensive national picture of criminality in Australia. We produced 2,266 unique analytical and tactical intelligence products addressing our 7 priority crime themes.
3. The ACIC informs partners of the current and evolving criminal threats to Australia	✓	<b>Met</b> —We received 1,437 requests for information and made 14,419 disseminations to 271 partners. Of the products disseminated, 72% were disseminated to board partners, 15% to international partners, and 13% to non-board Australian partners.
4. ACIC intelligence facilitates a response to criminal activity affecting Australia	⊗	<b>Partially met</b> —We met 3 of 4 targets, contributing to 58 significant disruptions and 3 severe disruptions and initiating 7 joint projects. Due to a shift from confiscations and the recovery of assets to intelligence and operational support, our number of financial referrals—5 referrals, against 8 entities—was below the 4-year average.
5. ACIC intelligence is helping to make Australia more hostile to crime	✓	<b>Met</b> —This was demonstrated by our role in the development and implementation of legislation to address vulnerabilities in the Aviation Security Identification Card and Maritime Security Identification Card schemes that allowed individuals with serious and organised crime links access to secure areas of airports and ports.
6. Stakeholders agree that ACIC intelligence is meaningful and useful	⊗	<b>Partially met</b> —While we received 661 requests for additional disclosure, nearly double the 4-year historical average, we did not meet our targets for the stakeholder satisfaction with our intelligence products. We will continue to work with our partners to ensure that our intelligence products are of value to them.
7. ACIC information systems are available when required by partner agencies	✓	<b>Met</b> —Our information systems met all board-agreed availability benchmarks.
8. ACIC information systems are used by partner agencies	⊗	<b>Partially met</b> —Four of 11 systems exceeded the 4-year average for users, and 5 of 7 systems exceeded the 4-year average for searches.
9. ACIC information systems provide useful information to police partners	⊗	<b>Partially met</b> —Two of 3 systems exceeded the 4-year average for positive data matches. The National Automated Fingerprint Identification System had fewer matches, due to factors including COVID-19 impacts and changes to fingerprint processing by partners.
10. The ACIC continues to enhance information systems	✓	<b>Met</b> —Our enhancement of the National Criminal Investigation DNA Database to improve DNA matching for missing persons cases demonstrated our commitment to ensuring that ACIC systems are appropriate and fit for purpose and meet stakeholder expectations.
11. Stakeholders are satisfied that the national policing information systems are meaningful and fit for purpose	⊗	<b>Partially met</b> —We met our target for stakeholders agreeing that our policing information systems prove valuable to their work, and saw a significant increase in stakeholder confidence that our systems are meeting the needs of stakeholder organisations. System reliability remains a known issue that we are working to address through system enhancements.
12. The National Police Checking Service is available to conduct checks as requested	✓	<b>Met</b> —The National Police Checking Service (NPCS) exceeded the board-agreed benchmark of 99% system availability.
13. The ACIC contributes to community safety by delivering timely information to support employment decisions	✗	<b>Not met</b> —We were on track to meet the timeliness benchmarks for NPCS checks until a number of factors in the fourth quarter, including a surge in requests for checks after the easing of COVID-19 restrictions, prevented us from meeting our targets.
14. National Police Checking Service accredited bodies are fulfilling their obligations to ensure an accurate and reliable service	✓	<b>Met</b> —We undertook 112 audits as part of the NPCS Assurance Program. As a result, 7 accredited bodies were referred for further investigation following alleged non-compliance. We provided 194 education sessions to accredited bodies.

# 2020–21 highlights



Our criminal intelligence delivers insights on the highest-level transnational serious and organised crime threats impacting Australia and plays a critical role in bringing partners together to build operational strategies and coordinate disruption activities.



**138** intelligence products containing examination material produced



**14,419** information and intelligence products disseminated among **271** stakeholders



**160** analytical intelligence and **2,106** tactical products finalised



**\$1.4 billion** estimated street value of drugs and precursors and **\$66.2 million** cash seized



**8** entities involved in **5** financial referrals totalling **\$48.2 million** of offences



**61** disruptions of criminal entities



Key reports produced on **illicit drugs, gangs, cybercrime, illicit tobacco, wastewater drug data** and **evolving criminal threats to Australia**

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We provide national policing information systems and services to police officers and other accredited users to keep them, and the Australian community, safe.



**11** information systems provided to help our partners prevent, detect and reduce crime in the community



**100%** of ACIC Board-agreed availability benchmarks met by policing information systems



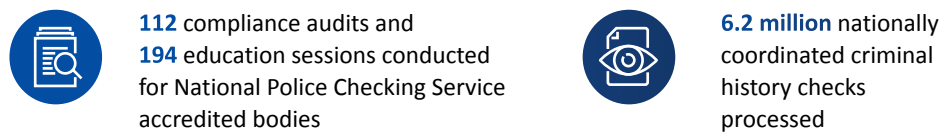
**National Criminal Investigation DNA Database** enhanced to provide a platform for identifying missing persons cases



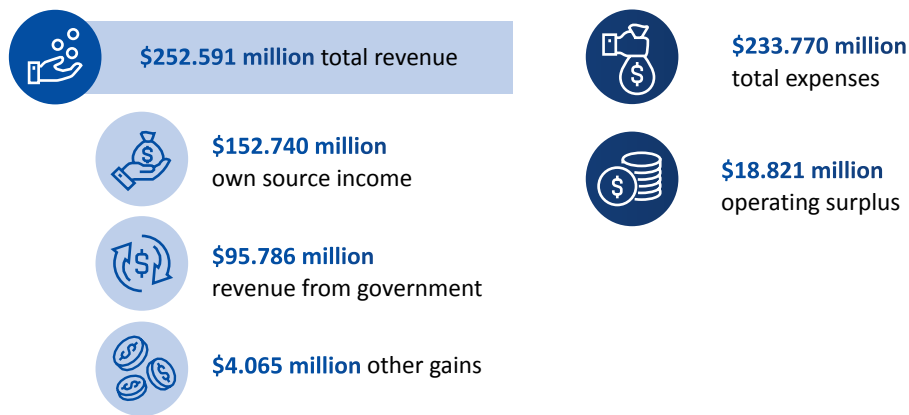
Agreement that our information and intelligence **services are valuable** to the work of their organisation expressed by **92% of surveyed stakeholders** who use them

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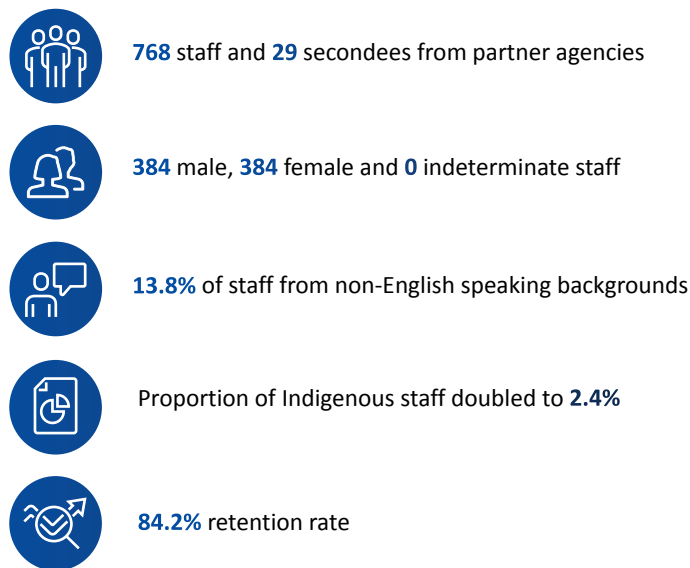
We deliver world-class background checking services to support employment or entitlement decisions.



Our financial performance is underpinned by an accountable and transparent governance framework.



Our people  
are skilled,  
experienced  
and diverse.



# Letter of transmittal



**AUSTRALIAN  
CRIMINAL  
INTELLIGENCE  
COMMISSION**

16 September 2021

The Hon. Karen Andrews MP  
Minister for Home Affairs  
Parliament House  
Canberra ACT 2600

Dear Minister

I am pleased to present the annual report of the Australian Criminal Intelligence Commission (ACIC) for the year ending 30 June 2021, prepared in accordance with the requirements of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

The report outlines the ACIC's performance for 2020–21 and includes audited financial statements.

Section 46(1) of the PGPA Act requires me to provide you with a report for presentation to the Australian Parliament.

In addition, I certify that I am satisfied that the ACIC has undertaken all appropriate fraud control measures as set out in section 10 of the *Public Governance, Performance and Accountability Rule 2014*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Phelan', is written over a horizontal line.

**Michael Phelan APM**  
Chief Executive Officer  
Australian Criminal Intelligence Commission

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“ We are ***driven by*** values  
of ***respect, integrity***  
and ***innovation*** ”

## Section 1

# Agency overview

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### *Who we are and what we do*

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# Chief Executive Officer's review

In 2020–21, my focus has been on delivering on our strategic priorities—to be the criminal intelligence partner of choice, to provide comprehensive policing information to our partners, to keep the community safe, and to deliver a sustainable agency into the future.

Despite challenges of the COVID-19 pandemic over the last 12 months and more, we have continued to deliver our work and made a real and meaningful contribution to the COVID-19 response. We know that change is constant, and our staff have proven that we have a resilient workforce who adapt well and continue to achieve our purpose: to protect Australia from criminal threats through coordinating a strategic response and collecting, assessing and disseminating intelligence and policing information.

## Our organisation

In the last 12 months, we have undertaken a significant change to our organisational structure to ensure that we continue to be the agency of choice when it comes to criminal intelligence. We have created 2 new Deputy Chief Executive Officer (CEO) positions that focus on the core components of the ACIC's activities—intelligence, and the delivery of our corporate functions, including the operation of the national criminal history checking function.

In the Intelligence Group, we have created an Examinations Branch to ensure that our unique coercive powers are at the centre of the agency's operational effort, and moved to a north–south operations model to support our operations to have a coordinated national focus on delivering impact and national insights into the transnational serious and organised crime threats Australia faces.

We have also merged the Intelligence Operations and Capability Divisions to leverage our unique capabilities to drive intelligence insights and improve the flow of intelligence from collection through assessment to dissemination.

Our staff are our biggest asset, and we continue to provide training opportunities to ensure that our workforce has the knowledge to effectively tackle the complexity of transnational serious and organised crime. This includes the Core Criminal Intelligence Training Pathway; the National Advanced Strategic Intelligence Course—a joint initiative with Charles Sturt University, open to staff from Australian law enforcement agencies; and our 2 leadership development programs aimed at current and emerging leaders.

## National Criminal Intelligence System

In March 2021, in line with our provision of comprehensive policing information, the National Criminal Intelligence System (NCIS) Operational Exposure Release occurred, making NCIS available to law enforcement partners to use in active operations for the first time. NCIS aims to securely connect law enforcement and intelligence agencies to share information nationally in a targeted, timely and relevant way.

We will continue to work collaboratively with the Department of Home Affairs and our partners involved in the design and delivery of NCIS to ensure that we provide a positive experience for all users of the NCIS capability, presenting information that is relevant and informative and meets the needs of all law enforcement users as they are onboarded during 2021–22.



## Priority targets

The Australian Priority Organisation Target (APOT) list details the top international and transnational targets that play a significant role within Australia's serious and organised crime environment. We continue to coordinate operational activities with Australian and international partner agencies to cause maximum global and local disruption of APOT networks.

Over the past year, the APOT strategy continued to see significant levels of cooperation between law enforcement and offshore partners. This led to the disruption of 3 APOT networks to the point that they are no longer considered APOT-level threats. Elements of a further 9 APOT networks were significantly disrupted, decreasing the overall threat of the criminal organisation.

## IT improvements

In 2020–21, our National Police Information Services Team successfully completed two major projects and several key business-as-usual tasks. We delivered the National Child Offender System and completed the Australian Firearms Information Network (AFIN) integration project. The AFIN integration means that all partner agencies are now providing firearms data directly into AFIN and allows national access to detailed, historical and near-real time, cross-jurisdictional firearms information to improve safety.

The National Criminal Investigation DNA Database—Integrated Forensic Analysis capability was also upgraded, enabling all state and territory law enforcement agencies to use crime scene evidence to perform familial searches against the national DNA dataset stored in the National Criminal Investigation DNA Database.

We are also supporting IT investment in our critical intelligence capabilities to ensure that we are able to deliver on our core function of delivering timely and targeted strategic intelligence products to inform government and support broader law enforcement operations.

## Looking forward

The ACIC continually works with government to ensure that the agency is appropriately funded to fulfil its role as Australia's national criminal intelligence agency.

While the world continues to be challenged by the COVID-19 pandemic, those involved in serious and organised crime are forced to adapt quickly. And so are we.

We have continued, and we will continue, to target those criminals, share timely and relevant intelligence and information with our partners, and focus our efforts on making Australia hostile to criminal exploitation.



**Michael Phelan APM**  
Chief Executive Officer  
Australian Criminal Intelligence Commission



# About us

We are Australia's national criminal intelligence agency, with investigative and information delivery functions. Our purpose is to protect Australia from criminal threats through coordinating a strategic response and collecting, assessing and disseminating intelligence and policing information.

## Role

Our role includes reducing the serious and organised crime threats of most harm to Australians and the national interest, and providing national policing information systems and services, to achieve our vision of an Australia hostile to criminal exploitation.

We work closely with our Australian and international partners to:

- ▶ collect, correlate, analyse and disseminate criminal information and intelligence
- ▶ maintain a national database of criminal information and intelligence
- ▶ provide and maintain national information capabilities and services to support policing and law enforcement
- ▶ provide strategic criminal intelligence assessments and advice on national criminal intelligence priorities
- ▶ conduct investigations and intelligence operations into federally relevant criminal activity
- ▶ provide nationally coordinated criminal history checks.

We are the conduit for sharing criminal information and intelligence between all state, territory and Commonwealth law enforcement agencies.

## Objectives

Our strategic direction and corporate plan for are framed around 4 key objectives.

### Be the criminal intelligence partner of choice

- ▶ Maximise use of our coercive powers and other intelligence collection capabilities to deliver leading insightful intelligence products
- ▶ Maintain strategic focus on priority crime themes while delivering perceptive intelligence assessments into new and emerging issues
- ▶ Leverage our unique role to coordinate the response to the highest priority transnational serious and organised crime threats
- ▶ Drive innovative targeting strategies such as the APOT strategy

### Provide comprehensive Commonwealth and policing information

- ▶ Deliver the NCIS capability to provide the first truly national and unified picture of criminal activities
- ▶ Ensure that current national policing information systems are positioned to transition into the NCIS capability to allow access to information through a single interface
- ▶ Deliver national policing information systems that meet stakeholder needs and are accessible, reliable, secure and trusted

### Keep the community safe

- ▶ Deliver world-class background checking services to support employment or entitlement decisions
- ▶ Invest in the National Police Checking Service (NPCS) to transform its operations to support future activities
- ▶ Ensure that the NPCS complements commercial services to maximise its value

### Deliver a sustainable agency

- ▶ The ACIC is funded to continue to deliver capabilities that meet board-agreed priorities
- ▶ Modernise the Australian Crime Commission Act to ensure that the right powers are available to respond to new and emerging criminal threats
- ▶ Align corporate services to deliver strategic priorities
- ▶ Leverage whole-of-government opportunities to maximise capability

## Specialist capabilities

The capabilities that enable us to perform our functions include:

- ▶ **National criminal intelligence data holdings**—We collect criminal intelligence and combine it with information and intelligence from partner agencies to create and share a comprehensive national picture of criminality in Australia.
- ▶ **National information and intelligence sharing services and systems**—We provide timely and reliable police and law enforcement information services and, through consultation and collaboration, we develop new and innovative capabilities.
- ▶ **Coercive powers**—We have coercive powers, similar to those of a royal commission, which may be exercised by an ACIC examiner in the course of a special ACIC operation or special ACIC investigation.
- ▶ **International collaboration**—We work in collaboration with international networks and have deployed ACIC officers to countries of strategic importance in our efforts to counteract serious and organised crime impacting Australia.

- ▶ **Strategic products**—Our strategic intelligence products build a comprehensive picture of criminality in Australia to support our partners in decision-making, strategic targeting and policy development.
- ▶ **National target management framework**—Our national target management framework guides law enforcement in establishing and sharing organised crime priorities and targets. This framework and our APOT list support nationally coordinated operational strategies for dealing with multijurisdictional and transnational serious and organised crime investigations.
- ▶ **Legislative framework allowing appropriate data sharing**—By sharing intelligence, information, resources and expertise with our partners, and with private industry where permitted and appropriate, we maximise the collective impact against crime. We are a conduit between the states and territories and the Commonwealth for the sharing of criminal information and intelligence.
- ▶ **Specialist technology and skills**—Our work is underpinned by sophisticated and tailored intelligence gathering and analytical capabilities.

## Culture and values

We promote a culture that strives for excellence, enables personal and professional growth, values workplace diversity, models respectful behaviour, and achieves agency unity through collaboration and inclusiveness.

We value our professionally diverse people as our greatest asset. We engage with each other and our stakeholders ethically, and with integrity and respect. We are capable, agile, innovative, adaptable and service focused.

We are committed to the Australian Public Service values of being impartial, committed to service, accountable, respectful and ethical.

We uphold our 5 guiding principles:

- ▶ Driven by values of respect, integrity and innovation
- ▶ Always in partnership
- ▶ Accurate, timely and reliable data and information
- ▶ Use superior tradecraft
- ▶ Highly trained and skilled staff.

# Our organisation

The ACIC is a Commonwealth statutory agency, established under the *Australian Crime Commission Act 2002* (ACC Act) with roles and functions underpinned by supporting legislation in each state and territory. We began operating on 1 July 2016.

The ACIC is a non-corporate Commonwealth entity within the Home Affairs portfolio, in which the Department of Home Affairs is the central policy department. We are one of 5 statutory agencies in the portfolio and report to the Minister for Home Affairs.

## Structure

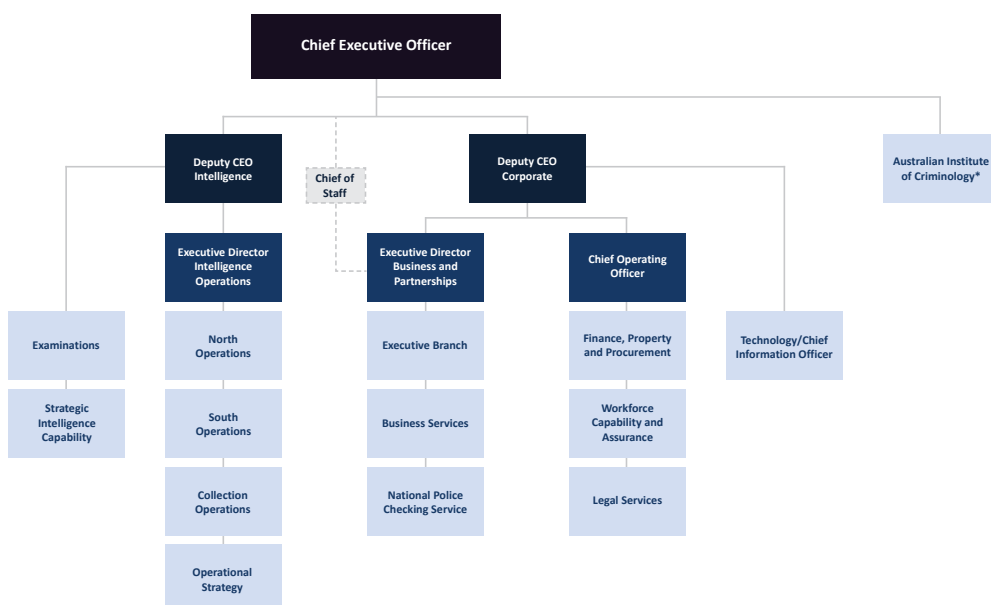
Figure 1.1 sets out the organisational structure of the ACIC.

During 2020–21, the structure was revised to focus on the two core components of our activities – intelligence operations and corporate functions. In particular:

- ▶ The position of Deputy CEO Intelligence was created, and our intelligence and capability functions were realigned to leverage our unique capabilities to drive intelligence insights, and to improve the flow of intelligence from collection through assessment to dissemination.
- ▶ The positions of Deputy CEO Corporate and Executive Director Business and Partnerships were created, and our corporate functions were adjusted to strengthen our strategic engagement with partners and our delivery of national policing information services and background checks.

Together, the changes help to ensure that our core activities are performed efficiently and effectively, with a strong emphasis on accountability, to meet our key objectives.

**Figure 1.1: Organisational structure at 30 June 2021**



\* The ACIC Chief Executive Officer is also Director of the Australian Institute of Criminology.

## Board

The ACIC Board is established by section 7B of the ACC Act 2020–21. Its members are senior officeholders of Commonwealth, state and territory law enforcement bodies and key regulatory and national security agencies.

The role of the board includes:

- ▶ providing strategic direction and determining agency priorities
- ▶ determining national criminal intelligence priorities
- ▶ authorising, by determination, special ACIC investigations and special ACIC operations, which allow the use of our coercive powers, to occur
- ▶ making recommendations about charges for national policing information services, and providing recommendations to the Minister for investment to improve, maintain and expand these information systems and services.

As a powerful law enforcement and national security body, the board provides a significant platform to drive the collegial approach necessary to make Australia better connected, informed and capable of responding to crime.

## Examiners

ACIC examiners are independent statutory officers appointed by the Governor-General to exercise the coercive powers set out in the ACC Act for the purpose of board-approved special ACIC operations and special ACIC investigations.

An examiner may exercise coercive powers only where relevant to a special ACIC operation or special ACIC investigation and when all legislative requirements are met and the examiner is satisfied that it is reasonable in all the circumstances to exercise those special statutory powers.

The ACIC currently has one full-time examiner and 2 part-time examiners, all of whom have extensive experience in the legal profession. The appointment of a further 3 full-time examiners is expected to occur in late 2021.

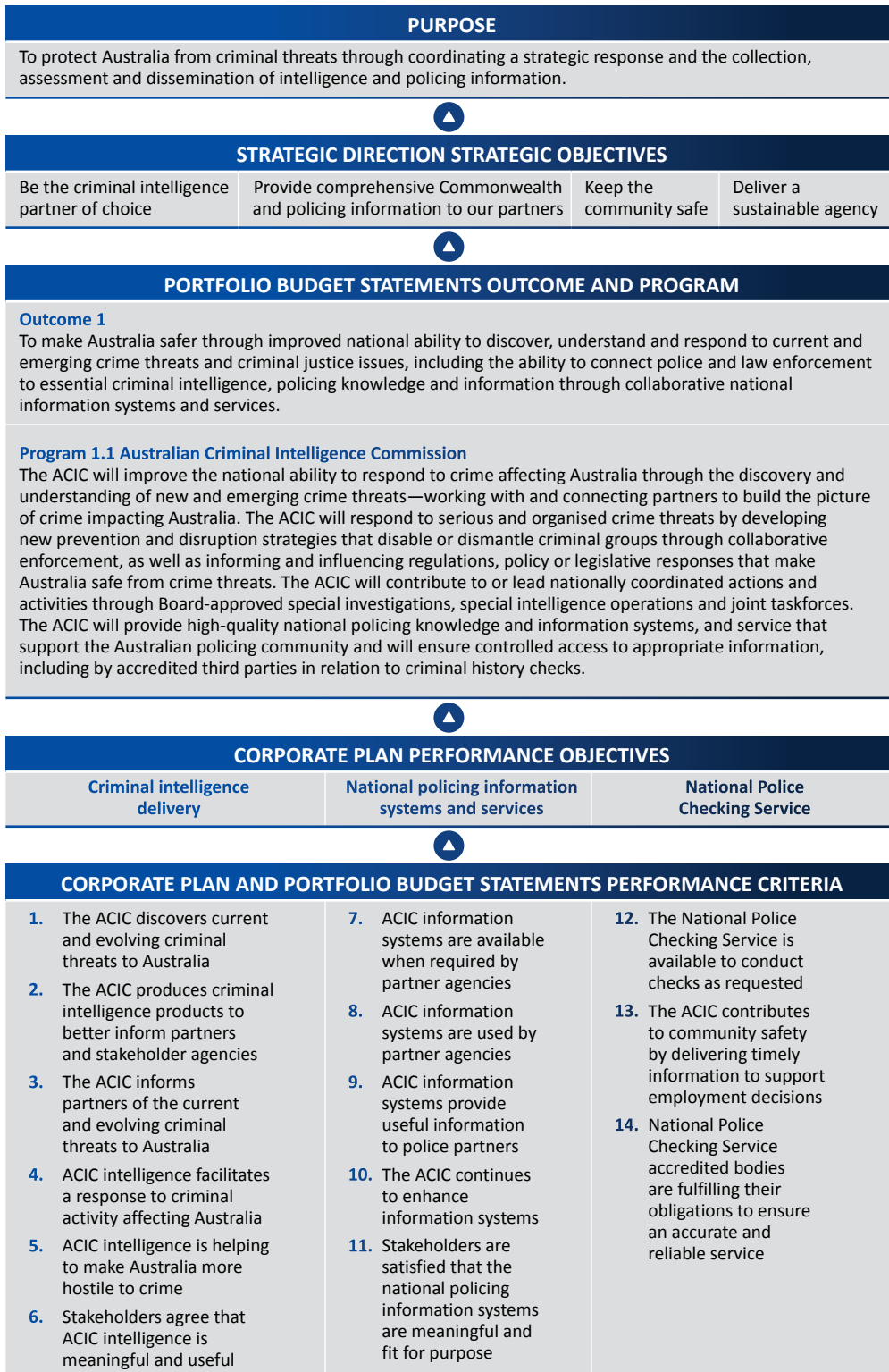
## Relationship with the Australian Institute of Criminology

The ACIC supports and closely collaborates with the Australian Institute of Criminology (AIC), to ensure that criminological research and evidence remain central to law enforcement's collective response to crime. Our CEO is also Director of the AIC and the 2 agencies are co-located. While the AIC operates independently, its high-quality research is important to our work.

## Our outcome

Our annual portfolio budget statements detail our outcome and program structure. Within that framework, the 'outcome' is the intended result, impact or consequence of our actions. We work towards our outcome through the activities that make up our program.

Our outcome and program structure 2020–21 is shown in Figure 1.2, along with its relationship to our *Strategic Direction Statement* and *Corporate Plan 2020–21*. Those documents and a link to our *Portfolio Budget Statements 2020–21* are on our website at <[www.acic.gov.au/publications/corporate-documents](http://www.acic.gov.au/publications/corporate-documents)>.

**Figure 1.2:** Portfolio, corporate and strategic performance framework 2020–21

# Our stakeholders

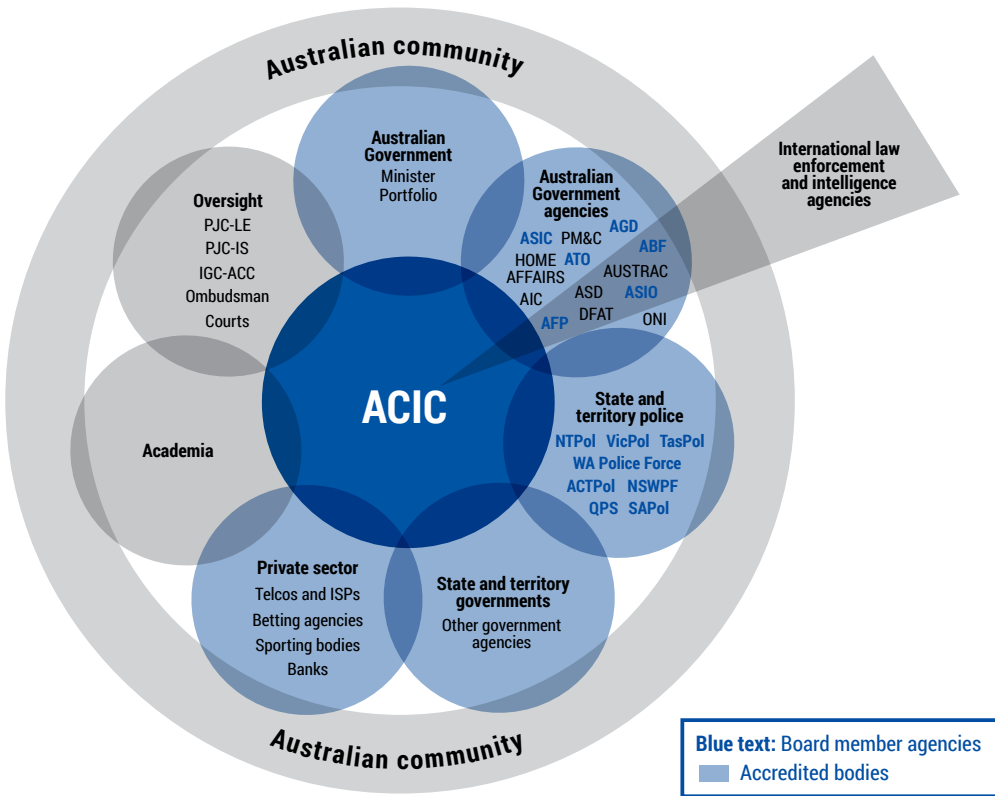
We work with a wide range of stakeholders to achieve a shared national outcome of a safer Australia, as shown in Figure 1.3.

Our stakeholders include:

- ▶ **Australian community**—We undertake our activities in order to support and improve the safety of the Australian community, through generating and sharing intelligence about serious and organised criminal activity, supporting police partners to respond to crime, or providing information to support decision-making on entitlement or employment through the NPCS.
- ▶ **Australian Government**—We report to the Minister for Home Affairs and work within the Home Affairs portfolio to ensure that our response to serious and organised crime is coordinated across government.
- ▶ **Australian Government agencies**—We leverage our unique position to link Commonwealth and state law enforcement and intelligence agencies. We generate intelligence that is shared among relevant Australian Government partners to support responding to serious and organised crime in Australia. The heads of a number of Australian Government agencies are members of the ACIC Board.
- ▶ **State and territory police**—We provide state and territory law enforcement agencies with information and services that support them to undertake their role. Each police commissioner is a member of the ACIC Board and provides strategic direction and oversight to our agency.
- ▶ **State and territory governments**—We generate intelligence that can be used by state and territory governments to close opportunities for criminal activity, strengthen regulations or directly disrupt criminal activity through court proceedings.
- ▶ **International agencies**—We leverage our relationships with international law enforcement and intelligence agencies to support our response to serious and organised crime in Australia.
- ▶ **Private sector**—We rely on parties in the private sector to support the delivery of national police systems, act as accredited bodies and build relationships to support responses to the evolving criminal threats that Australia faces.
- ▶ **Academia**—We partner with established sources of scientific expertise within Australian academic institutions to ensure that we remain at the forefront of responding to serious and organised criminal threats to Australia.
- ▶ **Oversight bodies**—We are properly subject to significant external oversight, to make sure that we use our agency powers responsibly, effectively and in accordance with the law at all times.
- ▶ **Accredited bodies**—We have accredited certain organisations to help individuals apply for and submit police checks. These organisations are entrusted with direct access to the NPCS and play a vital role to help safeguard the Australian community.



Figure 1.3: Stakeholders



ABF = Australian Border Force, ACTPol = Australian Capital Territory Policing, AFP = Australian Federal Police, AGD = Attorney-General's Department, AIC = Australian Institute of Criminology, ASD = Australian Signals Directorate, ASIC = Australian Securities and Investments Commission, ASIO = Australian Security Intelligence Organisation, ATO = Australian Taxation Office, AUSTRAC = Australian Transaction Reports and Analysis Centre, DFAT = Department of Foreign Affairs and Trade, IGC-ACC = Inter-Governmental Committee on the Australian Crime Commission, ISPs = internet service providers, NSWPF = New South Wales Police Force, NTPol = Northern Territory Police, ONI = Office of National Intelligence, PJC-IS = Parliamentary Joint Committee on Intelligence and Security, PJC-LE = Parliamentary Joint Committee on Law Enforcement, PM&C = Department of the Prime Minister and Cabinet, QPS = Queensland Police Service, SAPol = South Australia Police, TasPol = Tasmania Police, VicPol = Victoria Police, WA Police = Western Australia Police Force

# Australia's criminal environment

We operate in a complex environment. Understanding the dynamic and changing criminal environment is critical to determining how Australia responds. Our work is central to ensuring an informed, collaborative and connected national response to serious and organised crime impacting Australia.

The main features of serious and organised crime as it affects Australia are as follows:

- ▶ **Destructive, pervasive and complex**—Serious and organised crime impacts the lives of Australians in complex and destructive ways. As criminals seek to exploit vulnerabilities and perceived gaps in law enforcement, Australians experience damage to families and communities, lost income, health and social impacts, and the erosion of public trust.
- ▶ **Big business**—Serious and organised crime costs the Australian community billions of dollars each year. The AIC estimates that the cost of serious and organised crime to Australia in 2016–17 was up to \$47.4 billion, including \$31.5 billion in direct costs and \$15.9 billion in prevention and response costs.
- ▶ **Globalised**—Geographic boundaries no longer contain criminal networks. Around 70 per cent of Australia's serious and organised criminal threats are based offshore or have strong offshore links.
- ▶ **Diversified**—Traditional organised crime activities endure, while new forms of business are emerging. Criminal groups diversify across multiple criminal markets, providing consistent revenue streams to finance higher risk ventures and enabling criminal enterprises to respond to shifts in supply and demand.
- ▶ **Resilient**—Criminal groups are enduring and resilient, and respond to shifting global conditions and disruption. They collaborate for mutual gain, and quickly adapt methodologies to meet challenges and changes in their operating environment.
- ▶ **Concealed**—Serious and organised criminals blend criminal activity with legitimate business to support and conceal their criminal enterprises. Criminal groups corrupt officials, use violence and intimidation, and employ professional experts to advise on complex methods and techniques to hide their ventures from law enforcement.
- ▶ **Tech- and cyber-savvy**—Criminals quickly adopt emerging and advancing technologies, enabling increasingly sophisticated methods to counter law enforcement efforts. Cybercriminal groups can target thousands of Australians simultaneously from anywhere in the world. They enhance their capability through dark web forums and marketplaces in which they share tools, techniques and information.
- ▶ **National security threat**—Enhanced counter-terrorism efforts are being made throughout Australia, but the links between terrorism and broader organised crime and volume crime in Australia remain. This includes Australians who engage in organised crime to generate funds to support proscribed terrorist groups or to support individuals who depart Australia to engage in terrorist activities.

The world continues to be challenged by the COVID-19 pandemic. Just like the rest of the community, those involved in serious and organised crime have been forced to adapt quickly in order to conduct their operations. We have adapted in response, to continue to target them and share timely and relevant intelligence and information with our partners.

## Feature



### NATIONAL CRIMINAL INTELLIGENCE SYSTEM

“ NCIS has been made available to law enforcement partners to use in active operations for the first time.

The National Criminal Intelligence System (NCIS) aims to securely connect law enforcement and intelligence agencies to share information nationally in a targeted, timely and relevant way.

Sharing key criminal information and intelligence from multiple agencies and systems through a single viewpoint allows law enforcement officers to be better informed about risks, the details of entities, events of interest and the histories of individuals—improving officer safety and critical incident decision-making.

The NCIS Operational Exposure Release occurred in March 2021, making NCIS available to law enforcement partners to use in active operations for the first time. This is the first step in a phased rollout to operational users.

The operational exposure phase of NCIS provides the opportunity for police agencies to evaluate the integrity of the data and use of the system in operational conditions, including testing against agency-specific policies and procedures.

NCIS is being used by a group of more than 250 operational exposure users from police partner agencies and the ACIC, providing much needed access to nationwide policing information.

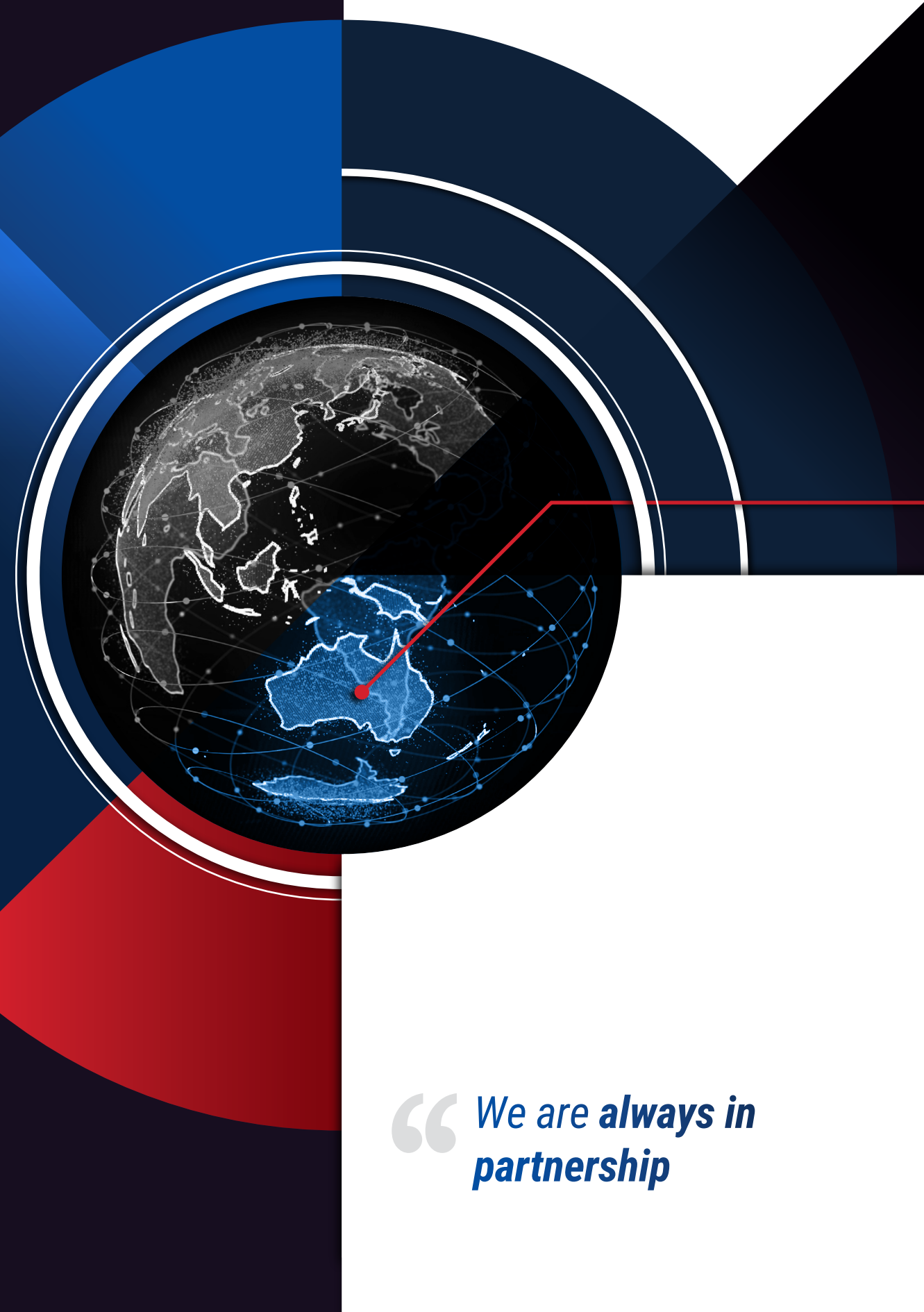
Those participating are able to provide feedback on their experiences and needs when using the system, to improve future capability.

Users can construct complex searches across multiple datasets and receive results returned in a consolidated national view. More than 28,000 searches were conducted on the new system between 9 March and 30 June 2021.

Highlighting the advantages that NCIS can provide to our police partners, a comparison search was carried out for a significant theft case, using both a local system and NCIS. Searching for matches on the local system returned 380 image results, which took substantial time to compare against CCTV footage.

By using key words to narrow down the search, filtered through only the local agency's own data, NCIS returned just 69 results. The person of interest was matched against the theft suspect within the first 10 results.

The NCIS Program Team is continuing to engage with ACIC operations and all police partner agencies to share their datasets, within lawful constraints, prior to the increased adoption of NCIS by law enforcement users during 2021–22.



“ *We are **always** in  
**partnership*** ”

## Section 2

# Annual performance

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### *How we achieved our purpose and managed our finances*

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# Annual performance statements

## Statement by the accountable authority

As the accountable authority of the Australian Criminal Intelligence Commission (ACIC), I present the 2020–21 annual performance statements of the ACIC, as required under paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

In my opinion, these annual performance statements are based on properly maintained records, accurately present the ACIC's performance during 2020–21, and comply with subsection 39(2) of the PGPA Act.



**Michael Phelan APM**  
Chief Executive Officer  
Australian Criminal Intelligence Commission

21 September 2021

## Purpose

The purpose of the ACIC in 2020–21 was to protect Australia from criminal threats through coordinating a strategic response and the collection, assessment and dissemination of intelligence and policing information.

The ACIC delivered its purpose in accordance with the *Australian Crime Commission Act 2002*, the PGPA Act, the *Public Service Act 1999* and other legislation.

## Performance measurement

Our performance in achieving our purpose is measured against detailed criteria set out on pages 16–21 of the *Corporate Plan 2020–21* and pages 95–97 of the *Portfolio Budget Statements 2020–21*.

## Results

The annual performance statements begin with an analysis of the ACIC's performance across the performance measures for 2020–21, then provide detailed results against each of the 14 criteria set out in the corporate plan and portfolio budget statements.

For statistical results, we include up to 4 years of data to enable comparative assessment of performance. Some measures are addressed by qualitative data: qualitative examples that provide short insights into the work of the ACIC, or case studies that provide more in-depth reviews of our work. There are 6 qualitative examples and 2 case studies in the annual performance statements.

Many of our criteria have multiple targets. If we met some but not all of the targets, we assessed the criterion as being partially met.

There was a discrepancy between the portfolio budget statements and the corporate plan targets on 4-year averages. In the 'Criminal intelligence delivery' section of the annual performance statements, '4-year average' should be read as 'within 5 per cent either side of the 4-year average'. In the 'National policing information systems and services' section, '4-year average' should be read as a pass or fail target. These targets have been written to comply with what was published in the corporate plan.

The result against each performance criterion is summarised at a glance using the following symbols.



Met



Partially met



Not met

## Analysis of performance against purpose

The 2020–21 financial year was a year of challenges and opportunity for the ACIC. The ongoing and constantly changing COVID-19 situation continued to impact our work. Among other things, COVID-19 restrictions hindered our ability to directly engage with our partners and the use of our coercive powers was reduced. Much of our effort went to providing high-quality strategic intelligence assessments on the impacts that COVID-19 is having on the criminal environment.

Despite the challenges and changes in our operating environment, the ACIC fully met 8 performance criteria and partially met 5. One performance criterion was not met.

### Criminal intelligence delivery

We continued our focus on generating intelligence insights into the highest-risk and emerging criminal threats that Australia faces. Australian Priority Organisation Targets and Regional Priority Organisation Targets are resilient, well-resourced criminal entities that exploit national and international connections posing a threat to Australia's national interests.

These criminal networks represent the most significant criminal threats facing Australia, and we work to generate intelligence and coordinate disruptive activities against them to maximise law enforcement efforts aimed at making Australia hostile to criminal exploitation.

We have been using our unique intelligence collection capabilities—including coercive powers, human intelligence, technical intelligence and advanced data analytics—to derive strategic intelligence insights. We are confident that our intelligence efforts are directed appropriately and are appropriately spread across the 7 priority crime themes established by our partners through the ACIC Board.

In 2020–21, there was a significant increase in the number of analytical intelligence products produced by the ACIC. This is a good result as our analytical products synthesise information from a range of sources, draw conclusions and forecast emerging threats. Increasing our efforts in this area is critical to supporting partners to respond to serious and organised crime impacting Australia.

Australia is increasingly exposed to serious and organised criminal activities conducted locally and across geographic boundaries. Key crime markets include traditional markets exploiting illicit commodities such as drugs and firearms, and increasingly sophisticated enterprises in areas such as financial crimes. The case study on page 32 demonstrates the impact our intelligence can have in closing off opportunities for actors undertaking serious and organised criminal activities to exploit vulnerabilities in our system.

Our stakeholder feedback was not as positive as we expected. However, the number of requests for additional disclosures of our intelligence products was significantly higher than the 4-year average, demonstrating that our partners and stakeholders find ACIC intelligence to be useful and actively seek it out.

### National policing information systems and services

We made significant investments in the infrastructure supporting our national policing information systems and services, and met 100 per cent of board-agreed benchmarks for system availability in 2020–21.



Results for searches and users were not uniform across our systems, with some up and some down against the 4-year average. While these metrics demonstrate that our systems are used, they can be impacted by factors outside our control. For example, if crime rates drop there will be a fall in the numbers of searches. Similarly, use of the systems is managed at a jurisdictional level. Some jurisdictions prefer that system access be centralised through one team; others prefer that all members have access to the system. We are continuing to review our performance measurement to ensure that we are accurately monitoring the ACIC's performance.

While our stakeholder survey results did not meet the benchmarks we set, there was a significant increase in stakeholder confidence that our systems are improving. System reliability remains a known issue, one we are actively working to address through system enhancements.

We continue to focus our efforts on engaging with stakeholders to ensure that the systems we provide support their needs. Established in 2019–20, our business hubs are continuing to engage with partners to clearly understand user needs and develop long-term strategies for managing our system capabilities to ensure they meet user requirements. The impact that our investments in national policing information systems can have on the Australian public through enhanced missing persons identification capability is demonstrated in the case study on page 39.

### National Police Checking Service

Checking services enhance the safety of the community by providing timely and accurate information to help organisations make informed decisions about the suitability of applicants for a range of employment, volunteering, registration, licensing and other entitlements. Many checks are required as part of pre-employment screening, so the volume of checks reflects employment trends in Australia.

In 2020–21, the National Police Checking Service (NPCS) processed over 6 million checks, 16 per cent more than the 4-year average. This is reflective of the large rise in employment activity that occurred when lockdowns ended across the country in March 2021. This surge impacted the timeliness of the service and we fell short of the board-agreed benchmark.

In addition, the time taken to perform checks is a measure we share with our police partners who receive referrals to confirm disclosable court outcomes. Therefore, the timeliness of our police partners in conducting final vetting processes directly impacts the timeliness of the police check process.

We continued to undertake quality assurance activities to ensure that accredited bodies met their obligations to protect sensitive personal information and support the accuracy of the checking service.


### Conclusion

Overall, while some performance criteria were not fully met, we assess that we have delivered our purpose of protecting Australia from criminal threats through demonstrated achievement against the majority of targets. We are continuing to enhance our systems and refine the way we operate to ensure that we remain the partner of choice for the provision of criminal intelligence and contribute to making Australia hostile to criminal exploitation.

# Criminal intelligence delivery

The ACIC delivers insights and intelligence on the highest-level transnational serious and organised crime threats. This work underpins all our activities, contributing to our purpose by delivering disruption outcomes and intelligence insights, providing timely and targeted intelligence products to inform government and fill strategic information gaps, and supporting broader law enforcement operations.

During 2020–21, our intelligence and analysis work led to the identification and understanding of new criminal methodologies, and the disruption of criminal threats to Australia. We played a critical coordination role in bringing partners together to build operational strategy and coordinate efforts.

Performance criterion 1	The ACIC discovers current and evolving criminal threats to Australia		
	Source: Portfolio Budget Statements 2020–21, page 96; Corporate Plan 2020–21, page 18		
	Measured by	Target	
	<ul style="list-style-type: none"><li>▶ The ACIC’s discovery of high-risk criminal targets</li><li>▶ Identification of criminals operating at the APOT and RPOT level</li><li>▶ Supported by qualitative examples of ACIC discovery of evolving criminal threats to Australia</li></ul>	4-year average	

## Discovery and identification of high-risk (APOT- and RPOT-level) criminals

High-risk criminal targets—in particular, Australian Priority Organisation Targets (APOTs) and Regional Priority Organisation Targets (RPOTs)—are resilient, well-resourced criminal entities that exploit national and international connections posing a threat to Australia’s national interest.

APOTs and RPOTs continue to exert significant influence over Australia’s illicit commodity markets in all Australian states and territories. APOTs and RPOTs are involved in several criminal enterprises, including outlaw motorcycle gangs, cybercrime, money laundering and illicit drugs activities. The ongoing risk presented by these targets underscores the importance of a nationally coordinated intelligence and investigative response.

During 2020–21, the 2 metrics ‘discovery of high-risk criminal targets’ and ‘identification of criminals operating at the APOT and RPOT level’ were merged into the ‘identification of APOT- and RPOT-level entities’. Only the most serious actors are identified as APOTs and RPOTs. This allows the ACIC to coordinate efforts to achieve maximum impact against the highest-risk targets.

At 30 June 2021, the ACIC was tracking 13 targets operating at the APOT level and 67 targets operating at the RPOT level. These numbers fluctuate across the year as disruption activities occur.




### Qualitative example: Importation of illicit drugs

In December 2020, the ACIC identified that a crew member of the container ship *MSC Joanna* was likely involved in serious organised crime. ACIC intelligence was disclosed to partner agencies, who made further enquiries offshore, identifying that the *MSC Joanna* was due to arrive in Australia in March 2021 and that there was likely to be a cocaine drop from the ship.

The Australian Federal Police established Operation Poitiers, a cross-jurisdictional taskforce, to track the *MSC Joanna* as it made its way to Sydney. A person of interest identified by ACIC intelligence analysts was observed rendezvousing with the ship at sea before sunrise.

The person of interest was intercepted by maritime police prior to returning to shore and 11 crates containing approximately 200 kilograms of cocaine, with an estimated street value of \$90 million, were seized.

Performance criterion 2	<b>The ACIC produces criminal intelligence products to better inform partners and stakeholder agencies</b> 	
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 96; <i>Corporate Plan 2020–21</i> , page 18	
	<b>Measured by</b> <ul style="list-style-type: none"> <li>▶ Number of intelligence products we produce, number of tactical and analytical intelligence products produced</li> <li>▶ Spread, in percent, of intelligence products produced by priority crime theme</li> <li>▶ Supported by 3 qualitative examples of products we have developed for different crime themes</li> </ul>	<b>Target</b> 4-year average

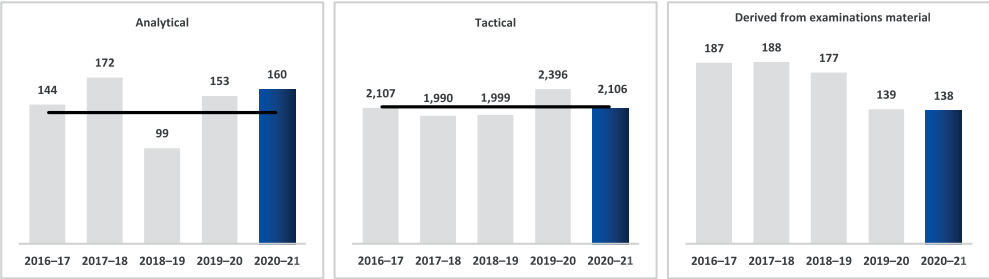
### *Intelligence products produced*

We develop intelligence products to address intelligence requirements and support our partner agencies in line with board-agreed priorities. As the criminal environment is evolving, our intelligence focus can shift from year to year.

We use our unique coercive powers to generate and disseminate intelligence insights, and a number of intelligence products are derived from our examinations. We do not provide a performance benchmark for examinations or the number of products produced as a result of examinations, as the use of ACIC coercive powers is driven by operational necessity, where legal requirements are met, rather than achievement of targets.

We produced 2,266 unique analytical and tactical intelligence products in 2020–21, in line with the historical average of 2,265. Figure 2.1 shows the numbers of unique products produced over the reporting period, split by type.

Figure 2.1: Intelligence products produced



Note: The trendline represents the 4-year historical average.

*Intelligence products by priority crime theme*

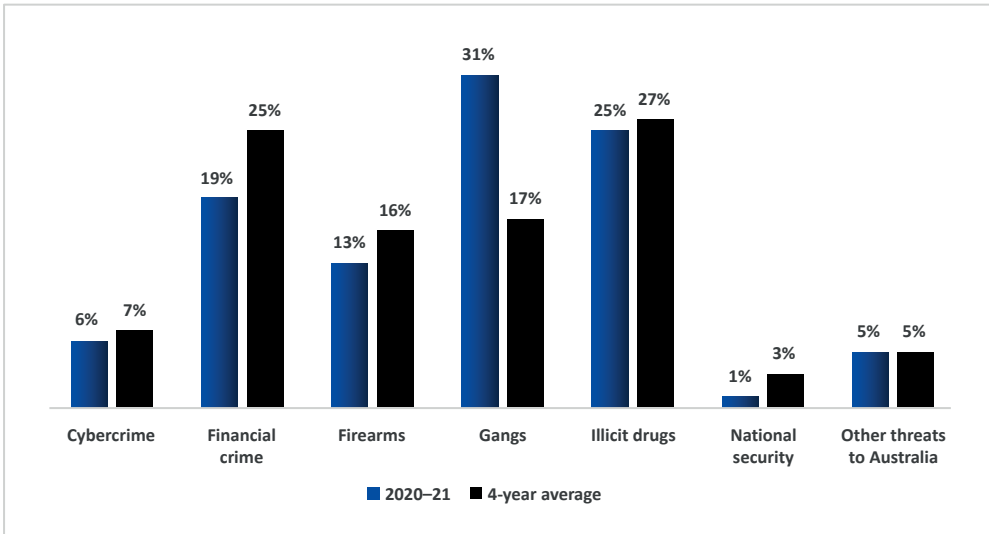
Priority crime themes determined by the ACIC Board direct our work and influence the work of our partners. These themes relate to crimes posing a significant threat to Australians and cover a wide variety of offences.

Much of our criminal intelligence effort goes towards understanding the nature of these crimes and the prevention, disruption, disabling and dismantling of criminal enterprises. We also work closely with the Australian Institute of Criminology to build an evidence base, informing policy and practice for addressing crime in Australia.

In 2020–21, there were 7 priority crime themes:

- ▶ cybercrime
- ▶ financial crime
- ▶ firearms
- ▶ gangs
- ▶ illicit drugs
- ▶ national security
- ▶ other criminal threats to Australia.

Figure 2.2 shows the spread, by percentage, of intelligence products produced by priority crime theme. The 4-year average is included as it demonstrates the shifting focus of our intelligence products to respond to the changing criminal environment. Only the 2020–21 results are required to meet reporting requirements.

**Figure 2.2:** Spread of products produced by priority crime theme

#### Qualitative example: Cybercrime threats associated with the delivery of a COVID-19 vaccine in Australia

##### Priority crime theme—Cybercrime

The ACIC authored a criminal strategic assessment on the implications of cybercrime threats associated with the delivery of a COVID-19 vaccine in Australia.

The assessment was developed to meet a critical need to understand how cybercriminals could exploit the COVID-19 vaccine rollout in Australia. It was disseminated to domestic law enforcement, policy and intelligence agencies, including those on the COVID-19 vaccine taskforce, and a range of international partners.

The assessment included intelligence on how cybercriminals target the Australian public, the potential threats to the vaccine supply chain, and elements that our partners should take into consideration to mitigate the impact of cybercrime on the vaccine rollout.

Initially, this assessment was the only tangible unclassified intelligence product available in relation to cybercriminal threats to the delivery of the vaccine through its supply chain and targeting of the Australian public.



### Qualitative example: Outlaw motorcycle gangs in Australia

#### Priority crime theme—Gangs

The ACIC responded to a request for information from the Australian Federal Police on behalf of the Pacific Transnational Crime Coordination Centre. The centre sought information relating to Australia's outlaw motorcycle gang (OMCG) cohort to inform the Pacific Transnational Crime Network's transnational crime assessment for 2019–20.

Our response identified the 38 OMCGs operating in Australia, consisting of almost 500 chapters, approximately 4,800 patched members and 1,000 prospects. It also referred to the impact the COVID-19 pandemic has had on OMCG members' ability to travel to and from Australia, and observed that the Australian Government's visa cancellation strategy for serious and organised criminals appeared to be effective at removing a number of OMCG members from Australia.

We also provided intelligence on how OMCG behaviour had changed since Australian states and territories enacted legislation or changed police powers to reduce OMCG violence. For example, OMCGs are conducting activities in a more clandestine manner and convening their national events in jurisdictions with less restrictive operating environments.




### Qualitative example: The illicit tobacco market in Australia

#### Priority crime theme—Other-illicit tobacco

The ACIC authored a criminal strategic assessment on the Australian illicit tobacco market. The assessment detailed that illicit tobacco is a low-risk, high-reward criminal enterprise in Australia, as the price of a pack of illicit tobacco averages \$10 less than the price of similar licit packs. Profitability has increased alongside excise and duty rate increases.

The significant profits increase difficulties in detection and disruption efforts. For example, serious and organised criminal groups are able to recover all costs even if they lose 30 shipping containers holding illicit tobacco to law enforcement activity. These groups employ highly diversified methods of evading detection, which reduces risks, increases the likelihood of profits, and makes combatting illicit tobacco challenging.

The assessment also provided intelligence on the challenges and opportunities for law enforcement.

Performance criterion 3	The ACIC informs partners of the current and evolving criminal threats to Australia 	
	Source: <i>Portfolio Budget Statements 2020–21</i> , page 96; <i>Corporate Plan 2020–21</i> , page 18	
	Measured by	Target
	<ul style="list-style-type: none"> <li>▶ Number of requests for information the ACIC received</li> <li>▶ Number of intelligence products disseminated</li> <li>▶ Number of partners receiving disseminations</li> <li>▶ Number of products disseminated to ACIC Board agencies, non-board agencies and international partners</li> </ul>	4-year average

Our criminal intelligence is collected and combined with information and intelligence from partner agencies to create and share a comprehensive national picture of criminality in Australia.

Tracking the numbers of products and alerts we have disseminated and the number of requests for information we have responded to helps to demonstrate the breadth and amount of criminal intelligence and other relevant information that we are producing and providing to our law enforcement partners each year.

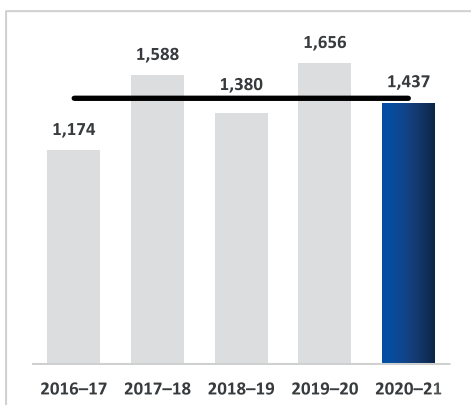
The number of requests for information fell 1.35 per cent short of the 4-year average. Overall, given our performance across the measures, we assessed this performance criterion as met.

#### *Requests for information*

The ACIC is committed to providing information on request, where possible within operational and legal constraints. Responses to requests for information are one of the ways we disseminate information to our stakeholders. Sometimes, just being informed that we do not hold the requested information can be useful to the requesting stakeholders.

The number of requests for information in 2020–21 was in line with the 4-year average, as shown in Figure 2.3.

**Figure 2.3:** Requests for information received

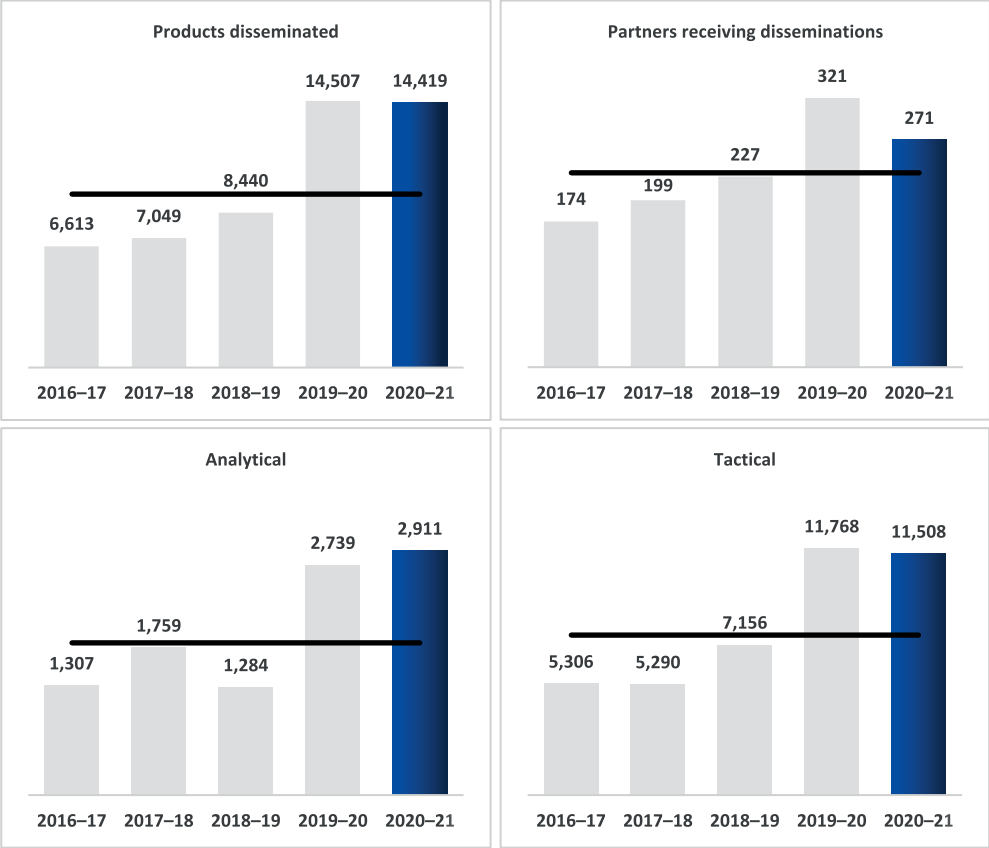


Note: The trendline represents the 4-year historical average.

#### *Products disseminated and partners receiving disseminations*

During 2020–21, the ACIC made 14,419 disseminations to 271 partners. We exceeded the historical averages for products disseminated and partners receiving disseminations, as shown in Figure 2.4.

Figure 2.4: Products disseminated and partners receiving disseminations



Note: The trendline represents the 4-year historical average.

Products disseminated to partners

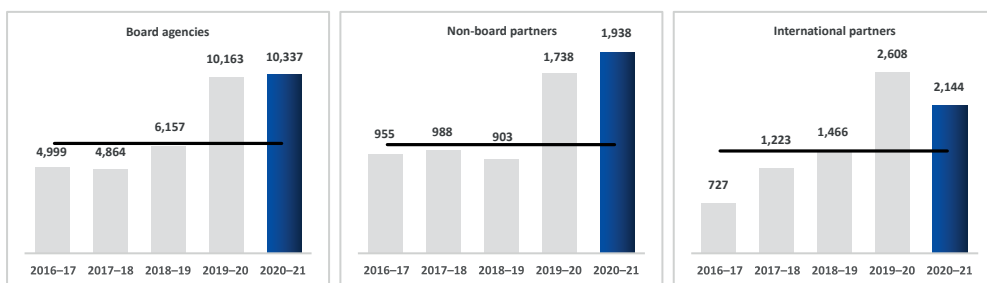
Our partners are separated into 3 types: the agencies that make up the membership of the ACIC Board; other Australian partners; and law enforcement agencies that we partner with outside Australia, such as the United Kingdom National Crime Agency and the United States Drug Enforcement Administration.

Our non-board Australian partners include stakeholders not involved in traditional law enforcement, such as bodies in the health sector and the sports betting sector, who benefit from our intelligence around vulnerabilities and potential criminal threats.

Of the 14,419 products disseminated to partners, 72 per cent were disseminated to board agencies, 13 per cent were disseminated to non-board partners, and 15 per cent were disseminated to international partners.

Figure 2.5 shows the number of products disseminated to partners by type of partner.



**Figure 2.5: Products disseminated to partners**

Note: The trendline represents the 4-year historical average.

Performance criterion 4	<b>ACIC intelligence facilitates a response to criminal activity affecting Australia</b>		
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 18		
	<b>Measured by</b>		<b>Target</b>
	<ul style="list-style-type: none"> <li>▶ Number of disruptions recorded</li> <li>▶ CACT referrals to partners</li> <li>▶ Number of Joint Project Proposals initiated</li> <li>▶ Supported by qualitative examples</li> </ul>		4-year average

To reduce the impact of transnational serious and organised crime on Australia, we use specialist capabilities and powers to collect, assess and distribute actionable intelligence to domestic and international law enforcement and intelligence partners.

We work in, and with, taskforces to investigate and collect intelligence on high-risk criminal entities operating domestically and offshore. Our intelligence may also result in joint projects between partners, and financial referrals to the Australian Taxation Office and the Criminal Assets Confiscation Taskforce (CACT). We aim to respond to and disrupt the activities of high-risk criminal entities operating domestically or offshore.

We assessed this performance criterion as partially met, as we met the targets for all measures except the number of CACT referrals to partners.

### Disruptions

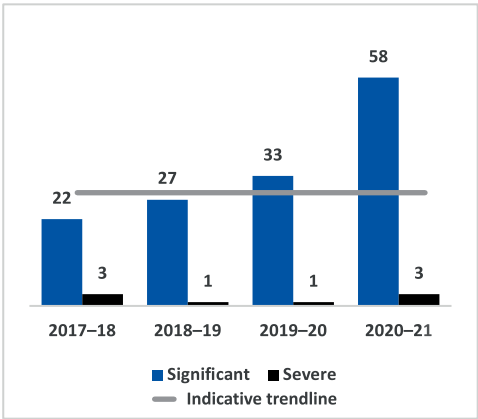
Disruption of criminal behaviour or a criminal enterprise by law enforcement is considered to be either 'severe' or 'significant'. To be considered severe, a disruption must result in the complete disruption or dismantling of a crime entity and the cessation of its serious and/or organised crime activities. To be considered significant, a disruption must achieve a significant impact, but not the complete disruption or dismantling.

The complete dismantling of a crime entity or cessation of its serious and organised crime is exceptionally difficult, due to the large, complex and often transnational networks many serious and organised criminal syndicates employ.

In 2020–21, our Australian law enforcement and offshore partners disrupted 3 APOT networks to the point that they are no longer considered APOT-level threats. Elements of a further 9 APOT networks were significantly disrupted, decreasing the overall threat of the criminal organisation but leaving it still able to operate at the APOT level. Two individuals designated as the head of an APOT organisation were arrested, compared to zero in 2019–20 and 3 in 2018–19.

Overall, the ACIC contributed to 58 significant disruptions and 3 severe disruptions in 2020–21. As data on significant and severe disruptions were not recorded until 2017–18, the 4-year average will not be available until 2021–22. The total of 61 disruptions was higher than the previous year’s total of 34, as shown in Figure 2.6.

**Figure 2.6: Disruptions**



Note: The trendline represents the 3-year historical average.



**Qualitative example: Five members of an accused Melbourne crime syndicate arrested**

In 2016, ACIC intelligence analysts identified a person of interest facilitating fraudulent activities against the Commonwealth—in particular, against the Department of Education, Skills and Employment, Services Australia and the National Disability Insurance Agency. Intelligence on the fraudulent activities being undertaken was provided to the Department of Education, Skills and Employment, which referred the matter to the Australian Federal Police.

The ACIC continued to provide intelligence support to the Australian Federal Police throughout the investigation and, on 16 November 2020, 5 members of an accused Melbourne crime syndicate were charged with defrauding the National Disability Insurance Scheme and the Child Care Subsidy of roughly \$800,000.



### Qualitative example: Attempt to import cocaine into Australia via a small aircraft 'black flight'

In 2018, an intelligence project identified a person of interest coordinating the importation, manufacture and distribution of illicit drugs, and the laundering of significant amounts of money on behalf of a transnational Italian organised crime-linked syndicate operating out of Melbourne, Australia. The network was added to the Victorian Regional Priority Organisation Target (RPOT) list and intelligence on its activities and associates was provided to law enforcement partners in Queensland, Victoria, New South Wales and Papua New Guinea. The ACIC and partners closely monitored the RPOT network for almost 2 years.

In July 2020, a member of the network attempted to import cocaine via a covert small aircraft 'black flight' from Papua New Guinea to Far North Queensland, from where it was to be transported to Victoria for distribution. The aircraft crashed soon after take-off, and 550 kilograms of cocaine were seized by Papua New Guinean authorities.

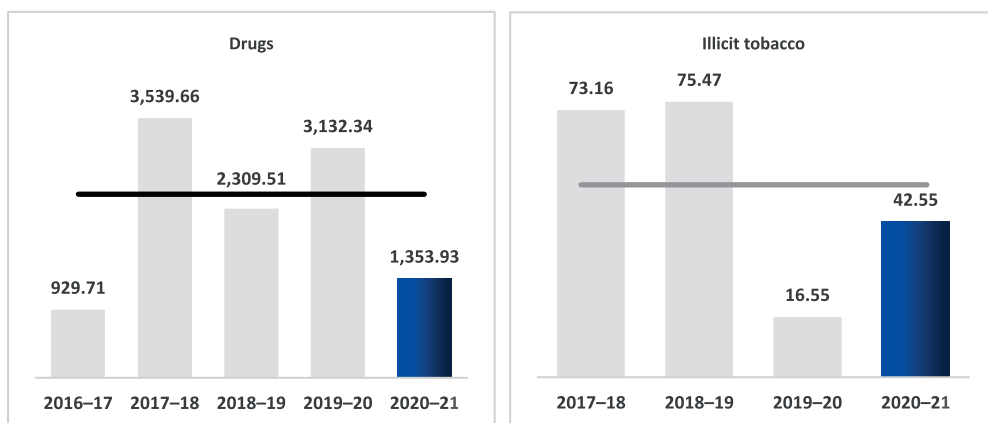
Search warrants were executed in Papua New Guinea, Queensland, New South Wales and Victoria, with assets seized including houses, shares and bank accounts. Several individuals were arrested, including the principal target of the RPOT network. The ACIC assesses that the network has been significantly disrupted.

## Seizures

Seizures are a form of disruptive activity that the ACIC supports to make Australia hostile to criminal exploitation. In 2020–21, ACIC intelligence led to a number of seizures of drugs, cash and illicit tobacco as part of disruption activities undertaken by our partners.

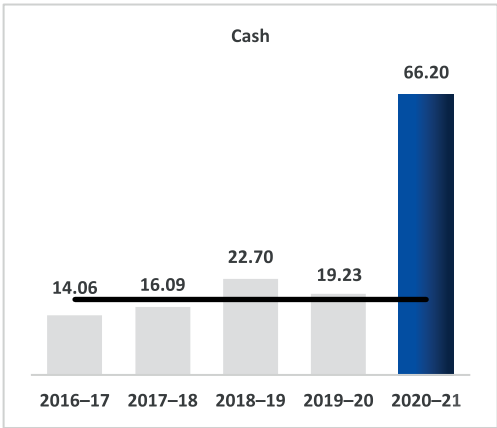
While our work is not focused on seizures, we have noted the outcomes of seizures to which our work made a material contribution. Figure 2.7 shows the total estimated street value of seizures of illicit drugs and drug precursors, and illicit tobacco. Figure 2.8 shows the total value of cash seized by our national and international partners as a result of ACIC intelligence.

**Figure 2.7: Estimated street value of drugs and illicit tobacco seized (\$m)**



Note: The trendline for drugs represents the 4-year historical average. The trendline for illicit tobacco represents the 3-year historical average, as data on illicit tobacco seizures were not collected before 2017–18.

**Figure 2.8: Value of cash seized (\$m)**



Note: The trendline represents the 4-year historical average.

### Financial referrals

Established in 2011, CACT is an Australian Government initiative dedicated to taking the profit out of crime by targeting criminals and their assets derived from unexplained wealth. It is led by the Australian Federal Police and includes the ACIC and the Australian Taxation Office.

There has been an operational shift in how the ACIC engages with financial referrals to CACT. We were previously involved in confiscations and the recovery of assets but are now performing an intelligence and operational support role. This has resulted in fewer referrals being made. We are working to revise our targets to ensure that they appropriately measure and reflect our effort and contribution to operations and investigations.

Table 2.1 summarises the ACIC's financial referrals in 2020-21 to CACT, the Australian Taxation Office and the New South Wales Crime Commission against the 4-year average.

**Table 2.1: Financial referrals to the Criminal Assets Confiscation Taskforce (and other partners)**

Details	ATO	CACT	NSWCC	Total	4-year average	
Referrals	3	1	1	5	18	↓
Entities involved	6	1	1	8	121	↓
Referrals estimated value of offending (\$m)	43.62	3.95	0.62	48.19	74.71	↓

ATO = Australian Taxation Office, CACT = Criminal Assets Confiscation Taskforce, NSWCC = New South Wales Crime Commission

↓ = less than the historical average

Joint project proposals

In 2020–21, we initiated 7 joint projects, of which 4 were accepted, one was initially accepted but later withdrawn, one was declined and one has an outcome pending. As this is a new performance measure for 2020–21, a 4-year average will not be available for comparison until 2024–25.

Performance criterion 5	ACIC intelligence is helping to make Australia more hostile to crime		
	Source: Portfolio Budget Statements 2020–21, page 97; Corporate Plan 2020–21, page 18		
	Measured by		
	Case study of an intelligence product we have developed that has resulted in an operational outcome, or a legislative, policy or regulatory reform		

We participate in the development, implementation and evaluation of policy and legislation relating to our powers and functions, emerging issues and trends, and oversight of the broader intelligence and law enforcement community.

While the ACIC is committed to transparency, we are unable to provide reports or updates on active operations, and much of our work cannot be publicly discussed or can be discussed only years after the event. The topic of the following case study was selected late into the reporting period as it addresses the performance measure and can be publicly reported.

# CASE STUDY

## TRANSPORT SECURITY AMENDMENT (SERIOUS CRIME) BILL 2020



The Aviation Security Identification Card (ASIC) and Maritime Security Identification Card (MSIC) schemes provide identification cards to confirm that the holder has a valid background check and is not a threat to aviation or maritime security. These cards allow holders to have unescorted access to secure areas of airports and maritime security zones.

Strategic intelligence assessments prepared under the (then) Australian Crime Commission's *Crime in the Transport Sector Determination* in 2007 revealed vulnerabilities in the ASIC and MSIC schemes that allowed individuals with serious and organised crime links to access secure areas of airports and ports.

The assessments identified that the focus on criminal convictions (as distinct from criminal intelligence) in considering eligibility for an ASIC/MSIC potentially permitted individuals to be granted an ASIC/MSIC despite criminal intelligence indicating links to serious and organised crime.

The findings also highlighted a vulnerability in the nationally coordinated criminal history checks undertaken on ASIC/MSIC applicants, which were limited to defined convictions against aviation or maritime security-relevant offences, including dishonesty, violence, drug and explosives offences for an ASIC, and money laundering and people smuggling offences for an MSIC.

De-identified case studies from the assessment were submitted to the Senate Legal and Constitutional Affairs Legislation Committee, which was undertaking an inquiry into the proposed Transport Security Amendment (Serious Crime) Bill 2019.

“

New criminal intelligence assessments for aviation and maritime transport workers will assist in preventing Australian ports being used to facilitate serious and organised crime.


The proposed Bill sought to make amendments to the *Aviation Transport Security Act 2004* and the *Maritime Transport and Offshore Facilities Security Act 2003* to prevent the use of aviation and maritime transport or offshore facilities for serious crime.

In March 2020, the Legal and Constitutional Affairs Legislation Committee provided provisional approval of the Bill subject to an additional schedule being made to include criminal intelligence assessments made by the ACIC as part of the background check process. The Bill was passed with that schedule on 22 June 2021, with the commencement of the schedule delayed until 22 June 2022.

This delayed commencement allows time for relevant regulations to be updated, and enables the ACIC to establish the new capability, along with the relevant policies and procedures to conduct criminal intelligence checks and prepare criminal intelligence assessments as part of the ASIC/MSIC background checks.

These criminal intelligence assessments will enable us to issue adverse findings against individuals recorded against criminal intelligence holdings. This will indicate that the individual may conduct, or assist someone else to conduct, serious and organised crime, and deny them eligibility to hold an ASIC/MSIC. The expanded range of criminal offences approved under the Bill will also result in persons who have criminal convictions that would not have been considered relevant under the previous regime being denied an ASIC/MSIC.

These legislative amendments will ultimately reduce the infiltration of the aviation and maritime industries by serious and organised crime and limit opportunities for individuals to facilitate or commit serious crimes at airports or ports.

Performance criterion 6	<b>Stakeholders agree that ACIC intelligence is meaningful and useful</b> 	
	<i>Source: Portfolio Budget Statements 2020–21, page 97; Corporate Plan 2020–21, page 18</i>	
	<b>Measured by</b>	<b>Target</b>
	<ul style="list-style-type: none"> <li>▶ Number of requests for additional disclosures of our intelligence products</li> <li>▶ Stakeholders agree or strongly agree that the ACIC provides intelligence products that identify changes within the criminal environment</li> <li>▶ Stakeholders agree or strongly agree that ACIC intelligence products provide a comprehensive and relevant understanding of crime impacting Australia</li> </ul>	4-year average  80%

Requests for additional disclosure and feedback provided through our stakeholder survey demonstrate the usefulness of the ACIC's criminal intelligence products.

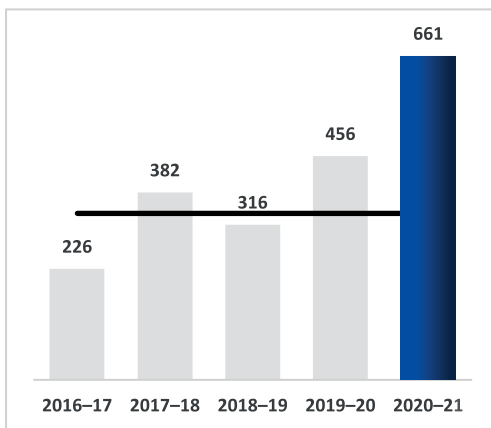
We assessed this performance criterion as partially met, as we met the target for additional disclosures but fell short of meeting the stakeholder survey targets.

#### *Requests for additional disclosures*

Demand for additional disclosures shows that our criminal intelligence products are useful to our partners and their stakeholders.

As Figure 2.9 shows, we received 661 requests for additional disclosures in 2020–21, which was nearly double the 4-year historical average of 345. Of those requests, 171 were for analytical products and 490 were for tactical products.

**Figure 2.9: Requests for additional disclosures**



Note: The trendline represents the 4-year historical average.

## Stakeholder feedback

Our stakeholder survey includes questions designed to help us ensure that our intelligence products are meaningful and useful. Table 2.2 provides details of the results of the questions particularly related to performance criterion 6.

We did not meet either target for the criterion, and dropped several points compared to the previous year's results. Many of the comments provided as part of the survey noted that our intelligence products were too focused on particular priority crime themes.

Our work is focused on delivering intelligence that is aligned to our priority crime themes. Those themes are widely consulted on among ACIC stakeholders and agreed to by the ACIC Board. We will continue to work with our partners to ensure that our intelligence products are valuable to their work.

**Table 2.2:** Stakeholder survey results—Performance criterion 6

Survey statement	Proportion of respondents who agreed or strongly agreed				
	2020–21	Target	2019–20	2018–19	2017–18
ACIC provides intelligence products that identify changes within the criminal environment	77%	80%	85%	81%	78%
ACIC intelligence products provide a comprehensive and relevant understanding of crime impacting Australia	66%	80%	74%	69%	75%

## National policing information systems and services


The ACIC provides a range of policing information systems that enable Australian police agencies to share essential policing information with each other. In this way, we contribute directly to the effectiveness and efficiency of policing and law enforcement in Australia.

Our systems fall into 5 categories:

- ▶ **Frontline**—Our frontline services enable police agencies to share essential policing information with each other in relation to people, vehicles, firearms and ballistics. This can assist with a broad range of community policing and criminal investigations.
- ▶ **Biometric and forensic**—We provide biometric matching services, including fingerprint and DNA matching, and services that assist police to identify missing persons, human remains and disaster victims.
- ▶ **Protection**—Protective services assist police to manage child sex offenders. Our court portal enables police and courts across Australia to access orders in relation to domestic violence.



- ▶ **Checking**—To help protect the Australian community, we provide access to nationally coordinated criminal history checks. The results of our checking service support organisations to make informed decisions about the suitability of applicants for employment and positions of trust.
- ▶ **Criminal intelligence**—We facilitate the National Criminal Intelligence System, a whole-of-government capability operating in a secure, national information-sharing environment. We facilitate the dissemination and sharing of criminal intelligence, including databases of intelligence holdings that can be accessed and analysed by approved users to keep themselves and the community safe.

Performance criterion 7	ACIC information systems are available when required by partner agencies 	
	Source: <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 20	
	Measured by	Target
	System availability	Board-agreed benchmark

System availability reporting details the percentage of time systems were nationally available, excluding scheduled outages. System availability is measured by the number of times an outage impacts multiple jurisdictions, as notified by users.

As many of our systems are integrated or routed via partner agency systems, issues unrelated to our service can affect availability. To reduce over-reporting when availability is affected by other issues, we require an outage to impact each jurisdiction in order to be considered a national outage.

The following significant changes were made to the ACIC's suite of systems during 2020–21:

- ▶ The Child Exploitation Tracking System operated for part of the year before being scheduled for decommissioning. The functions of the system were transferred to the Australian Federal Police.
- ▶ The decommissioning of the National Target System commenced.

As shown in Table 2.3, all ACIC systems met the board-agreed availability benchmarks in 2020–21. To show availability for all systems, we have also included the historical average for the Australian Law Enforcement Intelligence Network/Australian Criminal Intelligence Database, which did not have board-agreed availability benchmarks.

**Table 2.3: System availability**

Service type	System	2020–21 (%)	Board-agreed benchmark (%)	
Frontline	National Police Reference System	99.88	99.50	✓
	National Firearms Identification Database	100.00	96.00	✓
	Australian Ballistic Information Network	100.00	95.00	✓
	Australian Firearms Information Network	99.96	99.00	✓
	National Vehicles of Interest System	99.65	99.00	✓
Biometric and forensic	National Automated Fingerprint Identification System	99.85	99.50	✓
	National Criminal Investigation DNA Database	99.93	99.00	✓
	National Missing Persons and Victim System	99.98	96.00	✓
Protection	National Child Offender System	99.95	99.50	✓
	Child Exploitation Tracking System <sup>a</sup>	100.00	96.00	✓

Service type	System	2020–21 (%)	Historical average (%)	
Criminal intelligence	Australian Law Enforcement Intelligence Network/Australian Criminal Intelligence Database <sup>b</sup>	98.72	99.75	↓

✓ = Benchmark met

↓ = less than the historical average

a. Result for the period 1 July 2020 to 31 March 2021. Functions of the system were transferred to the Australian Federal Police.

b. These systems were merged during the reporting period. The historical average has been recalculated to show the average of both systems.

Performance criterion 8	<b>ACIC information systems are used by partner agencies</b>		
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 20		
	<b>Measured by</b>		<b>Target</b>
	<ul style="list-style-type: none"> <li>▶ Number of users</li> <li>▶ Number of searches performed</li> </ul>		4-year average

The numbers of users and searches are indicative of the uptake of our information systems by partner agencies. We measure this to provide an indicator that our systems are being used. However, there is considerable variation in how our systems are used across jurisdictions. For example, some of our partner agencies have moved to connecting to our systems via a web service, in which case an entire agency may be identified as a single user accessing the system.

We assessed this performance criterion as partially met, because the different systems achieved mixed results for both number of users and number of searches performed.

Tables 2.4 and 2.5 show that 4 of 11 systems exceeded the 4-year average for users and 5 of 7 systems exceeded the 4-year average for searches in 2020–21.

**Table 2.4: Service users**

Service type	System	Number of users		
		2020–21	4-year average	
Frontline	National Police Reference System	54,375	71,390	↓
	National Firearms Identification Database	266	45	↑
	Australian Ballistic Information Network	104	112	↓
	Australian Firearms Information Network	463	726	↓
	National Vehicles of Interest System	27,338	16,593	↑
Biometric and forensic	National Automated Fingerprint Identification System	919	702	↑
	National Criminal Investigation DNA Database	108	152	↓
	National Missing Persons and Victim System	859	720	↑
Protection	National Child Offender System	996	1,675	↓
Criminal intelligence	Australian Law Enforcement Intelligence Network	4,224	4,669	↓
	Australian Criminal Intelligence Database	2,252	2,515	↓

↑ = greater than the historical average

↓ = less than the historical average


**Table 2.5: Searches performed**

Service type	System	Number of searches performed		
		2020–21	4-year average	
Frontline	National Police Reference System	39,998,855	36,054,268	↑
	National Firearms Identification Database	58,329	25,287	↑
	Australian Ballistic Information Network	4,362	3,194	↑
	Australian Firearms Information Network	331,455	141,399	↑
	National Vehicles of Interest System	7,204,805	6,974,847	↑
Biometric and forensic	National Automated Fingerprint Identification System	1,020,282	1,549,727	↓
Criminal intelligence	Australian Criminal Intelligence Database	278,908	336,835 <sup>a</sup>	↓

↑ = greater than the historical average

↓ = less than the historical average

a. This is the average of results for 2015–16, 2016–17, 2018–19 and 2019–20. The 2017–18 result has been excluded due to a one-off spike that does not accurately reflect the average use of the system.

Performance criterion 9	<b>ACIC information systems provide useful information to police partners</b> 	
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 20	
	<b>Measured by</b>	<b>Target</b>
	Positive data matches	4-year average

Some of our services are able to capture the moment when a user makes a positive data match, which provides us with an indication of whether the systems are of use to police partners.

This does not give full insight into the discoveries that our partners make when using these systems. A failure to match may be just as important as a positive match, often revealing new criminality or highlighting flaws in the system so that we are able to correct them.


We assessed this performance criterion as partially met, as results across the 3 systems were mixed.

Table 2.6 shows that, for 2 of 3 systems, the number of matches in 2020–21 was higher than the 4-year average. The National Automated Fingerprint Identification System had fewer data matches, due to a number of factors, including the impact of COVID-19 and changes to fingerprint processing by police partners.

**Table 2.6: Positive data matches**

Service type	System name	2020–21	4-year average	
Frontline	Australian Ballistic Information Network	78	76	↑
Biometric and forensic	National Automated Fingerprint Identification System	95,127	97,839	↓
	National Criminal Investigation DNA Database	106,220	101,410	↑

↑ = greater than the historical average  
↓ = less than the historical average

Performance criterion 10	<b>ACIC continues to enhance information systems</b> 	
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 20	
	<b>Measured by</b>	
	Case study of an enhancement to information systems	

Information systems are central to sharing our policing information with partners. We are committed to ensuring that ACIC systems are appropriate, fit-for-purpose and meet stakeholder expectations. This includes enhancing systems and features. In 2020–21, the National Criminal Investigation DNA Database was enhanced, as described in the following case study.



## CASE STUDY

### IMPROVED NATIONAL DNA MATCHING FOR MISSING PERSONS CASES



New technology in our National Criminal Investigation DNA Database is fast tracking the identification of missing persons by linking family relationships.

Each year in Australia, dozens of people go missing due to crime, accidents or natural disasters. For those left behind, the emotional toll of not knowing what has happened to their loved ones can be devastating, and the absence of a death certificate has legal and financial implications.

Using DNA to identify missing persons is a complicated process made even more difficult by the fact that DNA profiles of missing persons are usually not available or, if they are available, may be compromised.

However, as forensic science and technology improve, our abilities to draw usable DNA from compromised samples and undertake kinship matching also improve. DNA sourced from close relatives is also valuable for resolving missing persons cases, including criminal matters, and identifying victims of disasters and human trafficking.

The National Criminal Investigation DNA Database (NCIDD), established in 2001, has always had a basic missing persons capability. However, it struggled with scientific and technological limitations. Interjurisdictional legislative and policy differences around the comparison of DNA profiles from relatives of missing persons to unknown human remains also proved challenging.


Recognising the need to incorporate an advanced missing persons capability at a national level, we worked with a police and laboratory consultative group to advise on the requirements of this capability. One suggestion was to incorporate commercial-off-the-shelf software into the NCIDD.

The selected product is specifically designed to facilitate quick human-DNA-based identification of disaster victims and missing persons investigations by linking family relationships. Designed by SMART Research in the Netherlands, the product is used by many organisations around the world, including INTERPOL, to enhance their DNA-based identification databases.

By 2020, leveraging technological and scientific advancements through the commercial software product, we built an advanced missing persons solution that can manage the complex interjurisdictional legislative and policy differences.

The new capability arrived at the right time to help the Australian Federal Police develop the National DNA Program for Unidentified and Missing Persons, which will harness modern forensic techniques to allow advanced DNA profiling and matching of unidentified human remains and missing persons nationally. State and territory police and forensic labs have also renewed their efforts in resolving missing persons cases.

While the NCIDD can only be accessed by Australian police agencies and their forensic service providers, we encourage anyone who is interested in contributing samples of the DNA of missing persons, or their own DNA for family referencing, to contact their state or territory missing persons unit <[www.missingpersons.gov.au/report/missing-persons-units](http://www.missingpersons.gov.au/report/missing-persons-units)>.

Performance criterion 11	<b>Stakeholders are satisfied that the national policing information systems are meaningful and fit for purpose</b>		
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 20		
	<b>Measured by</b>	<b>Target</b>	
	<ul style="list-style-type: none"> <li>▶ Stakeholders agree or strongly agree that ACIC national policing information systems were of value to their work</li> <li>▶ Stakeholders agree or strongly agree that ACIC national policing information systems are reliable</li> <li>▶ Stakeholders agree or strongly agree that ACIC national policing information systems meet the needs of their organisation</li> </ul>	90%   80%	

We are pleased by the significant increase in stakeholder confidence that our systems are meeting the needs of stakeholder organisations. System reliability, or system availability, remains a known issue, and one we are actively working to address through a number of system enhancements.

We are continuing to work with partners to ensure that our systems are useful, valuable, reliable and meet partner needs.

We assessed this performance criterion as partially met, as we met the target for one stakeholder survey measure but fell short of the other 2.

**Table 2.7:** Stakeholder survey results—Performance criterion 11

Survey statement	Proportion of respondents who agreed or strongly agreed				
	2020–21	Target	2019–20	2018–19	2017–18
ACIC national policing information systems were of value to their work	92%	90%	89%	89%	92%
ACIC national policing information systems are reliable	68%	80%	75%	73%	67%
ACIC national policing information systems meet the needs of their organisation	54%	80%	46%	48%	45%

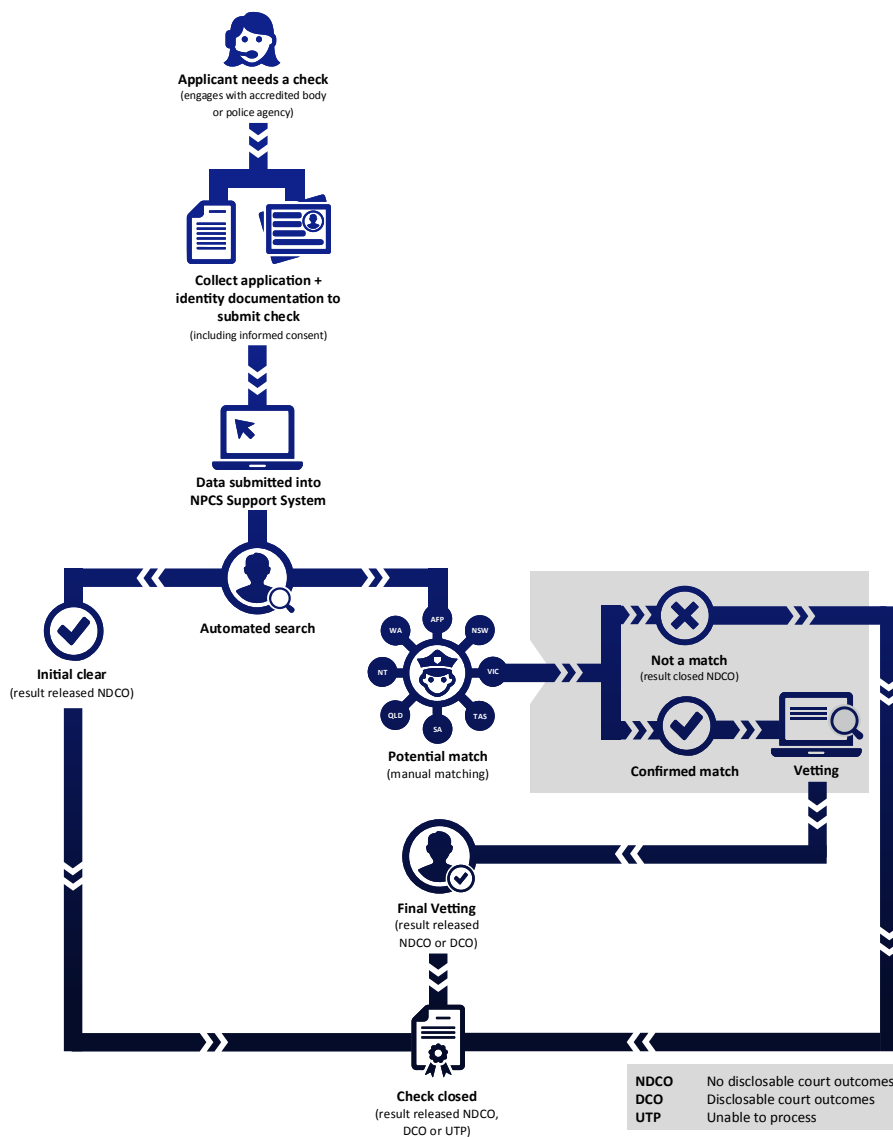
# National Police Checking Service


The ACIC works with Australian police agencies and accredited bodies to deliver the NPCS. The NPCS allows people to apply for a nationally coordinated criminal history check, previously known as a police check.

This check is often required when applying for employment, Australian citizenship, appointment to positions of trust, or a variety of licensing and registration schemes.

The NPCS facilitates more than 6.2 million checks each year, which may result in more than 8,000 referrals to police each day. Figure 2.10 outlines the checking process.

**Figure 2.10:** National Police Checking Service process




Performance criterion 12	<b>The NPCS is available to conduct checks as requested</b> 	
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 21	
	<b>Measured by</b>	<b>Target</b>
	System availability	Board-agreed benchmark

System availability reporting details the percentage of time systems were available, excluding scheduled outages, during the reporting period. We measure the national availability by user notifications of outages impacting multiple jurisdictions. An outage has to impact each jurisdiction in order to be considered a national outage.


An agreed availability benchmark is developed by the ACIC Board for each of our systems that directly support police operations, including police checks. Benchmarks are based on usage requirements and are generally in line with previous years.

As Table 2.8 shows, the NPCS exceeded the availability benchmark in 2020–21.

**Table 2.8:** National Police Checking Service system availability

Service type	System	2020–21 (%)	Board-agreed benchmark (%)	
Checking	National Police Checking Service/NPCS Support System	99.93	99.00	

 = Benchmark met

Performance criterion 13	<b>The ACIC contributes to community safety by delivering timely information to support employment decisions</b> 	
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 20	
	<b>Measured by</b>	<b>Target</b>
	Time taken to perform urgent and non-urgent checks	Board-agreed benchmarks

This measure is not only an ACIC performance measure but one shared by our police partners and accredited bodies providing this service to the wider community. The checking process may be complicated and, in a small number of cases, may cause delays beyond the agreed timeframes.

As Table 2.9 shows, the timeliness benchmarks for the NPCS were not met in 2020–21.



**Table 2.9:** National Police Checking Service checks completed on time

Measure	2020–21 (%)	Board-agreed benchmark (%)	
Standard checks: 10 business days	92.57	95.00	✗
Urgent checks: 5 business days	88.29	95.00	✗

✗ = Benchmark not met

Until March 2021, the ACIC was on track to meet the board-agreed benchmarks for NPCS checks. A number of factors caused the measure to slip from ‘met’ to ‘not met’.


As COVID-19 restrictions were lifted and hiring practices recommenced, the number of requests for national police checks increased to unprecedented levels. This influx was not predicted in any modelling. As a result, police were not resourced for the workload to increase so significantly, particularly in comparison to the downturn experienced in 2020. In addition, some police partners experienced workforce impacts due to local COVID-19 restrictions and lockdowns.

In 2020–21, the number of requests exceeded 6 million, as shown in Table 2.10. This is the highest number since the NPCS was established and 16.36 per cent higher than the 4-year historical average.

**Table 2.10:** Volume of National Police Checking Service checks

Measure	2020–21	4-year average		2019–20	2018–19	2017–18	2016–17
Number of nationally coordinated criminal history checks processed	6,200,475	5,328,650	↑	5,634,321	5,630,364	5,290,336	4,759,577

↑ = greater than the historical average

Performance criterion 14	<b>NPCS accredited bodies are fulfilling their obligations to ensure an accurate and reliable service</b>		
	<b>Source:</b> <i>Portfolio Budget Statements 2020–21</i> , page 97; <i>Corporate Plan 2020–21</i> , page 20		
	<b>Measured by</b>		<b>Target</b>
	▶ Number of audits of compliance undertaken by the ACIC on accredited bodies		Audit activity occurred
	▶ Number of education sessions provided by the ACIC to accredited bodies		Education sessions occurred

### Compliance audits

Accredited bodies are entrusted with access to the NPCS Support System in order to submit applications and retrieve check results for consenting applicants. Having access to check results supports organisations to determine the suitability of applicants for positions of trust in an efficient and timely manner.

To ensure that accredited bodies are complying with requirements, compliance audits are undertaken by the NPCS Assurance Program. Audits may also be undertaken following allegations of non-compliance, including allegations from sources within the ACIC, partner agencies or external public organisations or from members of the public.

If non-compliance is identified by any audit activities, the accredited body is given the opportunity to rectify the issue. If the accredited body is unable or unwilling to rectify the issue to the satisfaction of the NPCS, the ACIC may commence termination of the accredited body's contractual arrangement.

In 2020–21, the ACIC undertook 112 audits as part of the NPCS Assurance Program. As a result, 7 accredited bodies were referred for further investigation following alleged non-compliance.

Table 2.11 shows the number of compliance audits undertaken.

**Table 2.11: National Police Checking Service audits of compliance**

Activity being audited	2020–21
Identity verification	24
Provision of application data	20
Submission of purpose description	20
Volunteer check type submission	26
Provision of nationally coordinated criminal history check results	22

### Education sessions

We offer 5 types of education support to accredited bodies:

- ▶ 2 mandatory modules for newly accredited bodies—User Acceptance Testing and NPCS Induction
- ▶ 3 optional modules for all accredited bodies—NPCS Support Program, NPCS Information and Quality Assurance Education.

The user acceptance testing and induction training provides accredited bodies with the required information for conducting NPCS checks. During this training, accredited bodies are given access to a training environment which requires that they submit mock checks and demonstrate the required skills before they are granted access to the production system. Due to COVID-19 restrictions, the induction sessions were conducted individually over the phone with newly accredited bodies.

Once new user training has been completed, the NPCS Support Program is initiated. This program provides the accredited body with ongoing education and guidance. After several months, the accredited body undergoes quality assurance activities. These activities are completed on a regular basis to monitor and provide education around the correct submission of the check.

NPCS information sessions are conference-style events for accredited bodies. These sessions are designed to provide further education and training to accredited bodies to help them better understand their contractual obligations. Guest speakers from across the Australian Public Service are engaged to share information and knowledge across a number of areas, including identity and identity verification, information security, technology, and community safety. While these sessions are a priority for the ACIC, they were suspended during 2020–21 due to COVID-19 restrictions.

Table 2.12 provides details of the education sessions conducted in 2020–21.

**Table 2.12: National Police Checking Service education sessions**

Type of education support	2020–21
User Acceptance Testing	16
NPCS Induction	18
NPCS Support Program	27
NPCS Information	0
Quality Assurance Education	133

During 2020–21, we determined that running the sessions does not indicate how we are performing under this measure. We will continue to run education sessions for accredited bodies; however, this criterion will not be a performance indicator going forward and was not included in the 2021–22 corporate plan.



### ACIC ASSISTANCE TO OPERATION IRONSIDE

“ We work with our law enforcement partners to improve the national ability to respond to crime impacting Australia. A large number of our staff were involved in efforts to support the AFP's Operation Ironside.

Led by the Australian Federal Police (AFP), Operation Ironside commenced in November 2018, in parallel with the United States Federal Bureau of Investigations Operation Trojan Shield.

The covert operations involved the management and access of a dedicated encrypted communications platform called ANOM. This world-leading capability has allowed law enforcement agencies around the world to target, identify and disrupt alleged criminal operations.

The ACIC was part of the historic moment on 8 June 2021 when Operation Ironside came to resolution.

Our agency played a unique role in assisting Operation Ironside. A large proportion of our analytical workforce was seconded to the AFP during the operation's final stages, and we were involved in actioning unique insights to maximise effect. We helped to maximise the success of the operation and support our partners to achieve our vision of an Australia hostile to criminal exploitation.

Operation Ironside led to the arrest of 224 offenders on 526 charges, including offenders in every mainland Australian state. In total, 3.7 tonnes of drugs, more than 100 weapons, almost \$45 billion in cash, and assets expected to run into the millions of dollars, were seized under Operation Ironside.

Our purpose is to protect Australia from criminal threats through coordinating a strategic response and collecting, assessing and disseminating intelligence and policing information. This activity is on a scale that has reshaped the criminal operating environment and the full effects will likely not be known for some time. Ongoing ACIC efforts will be critical in the aftermath of the operation's resolution to ensure that the impacts on serious and organised crime and changes to the threat landscape are well understood.

Our workforce demonstrated agility and the ability to pivot to support new strategic priorities during Operation Ironside, while maintaining the significant work that we do every day to reduce serious and organised crime threats of most harm to Australians.

## Overview of financial performance

The ACIC's financial result for 2020–21 was an operating surplus \$18.821 million.

With the exclusion of unfunded depreciation (\$6.001 million) and capital funding income (\$12.604 million), the ACIC would have realised a surplus of \$12.218 million for the financial year. This is primarily driven by:

- ▶ growth in the national policing information services revenue of \$14.213 million
- ▶ \$5.114 million rent collected from subleasing of surplus property, sale of minor assets and reversal of a property provision, offset by expenses related to the NCIS program that were approved to be funded from cash reserves.

During 2020–21, there were no instances of significant non-compliance with the finance law. The ACIC received an unmodified audit opinion from the Australian National Audit Office.

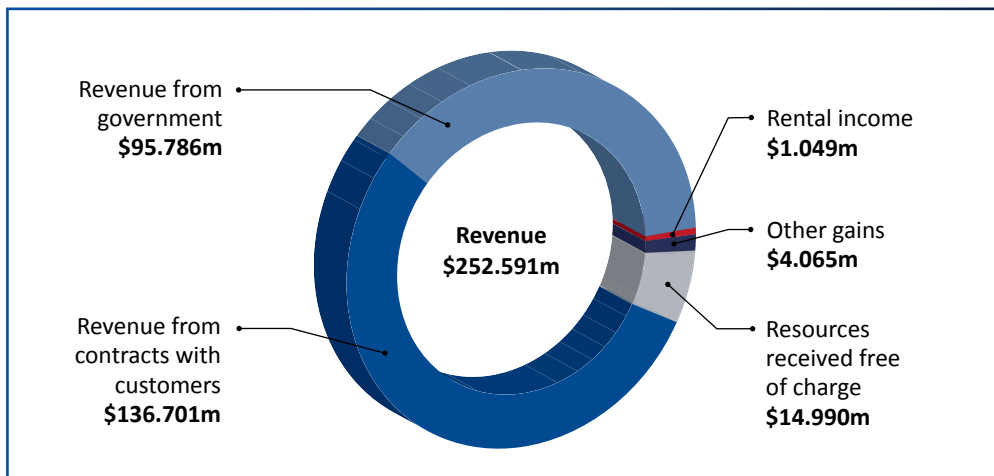
### Revenue and expenditure

Figure 2.11 summarises sources of revenue and expenditure in 2020–21. The total ACIC revenue in 2020–21 financial year consisted of \$136.701 million revenue from contracts with customers, \$95.786 million revenue from government, \$14.990 million resources received free of charge, \$1.049 million rental income and \$4.065 million other gains from minor asset sales and reversal of an onerous lease provision created in prior years.

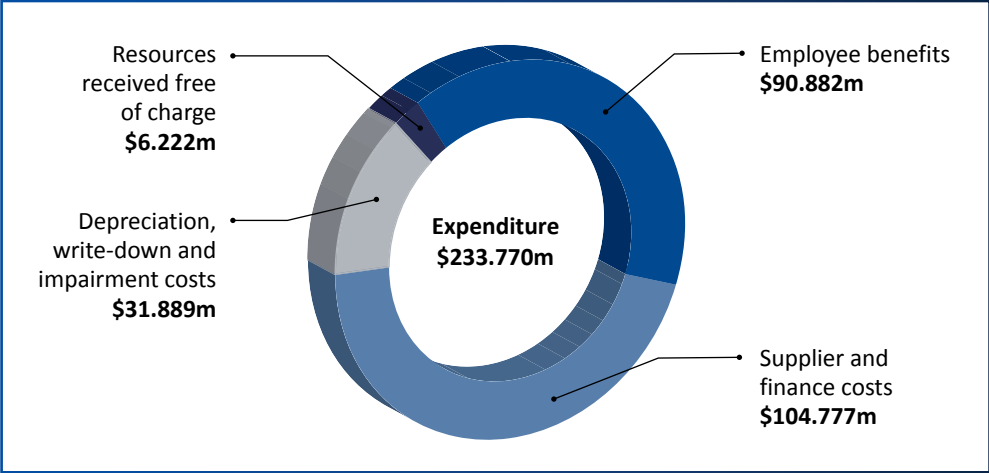
The total ACIC expenditure consisted of \$90.882 million employee benefits, \$104.777 million supplier and finance costs, \$31.889 million depreciation, write down and impairment costs, and \$6.222 million resources that are received free of charge.

More details of resources and expenses are provided in tables 2.13 to 2.15.

**Figure 2.11:** Revenue and expenditure



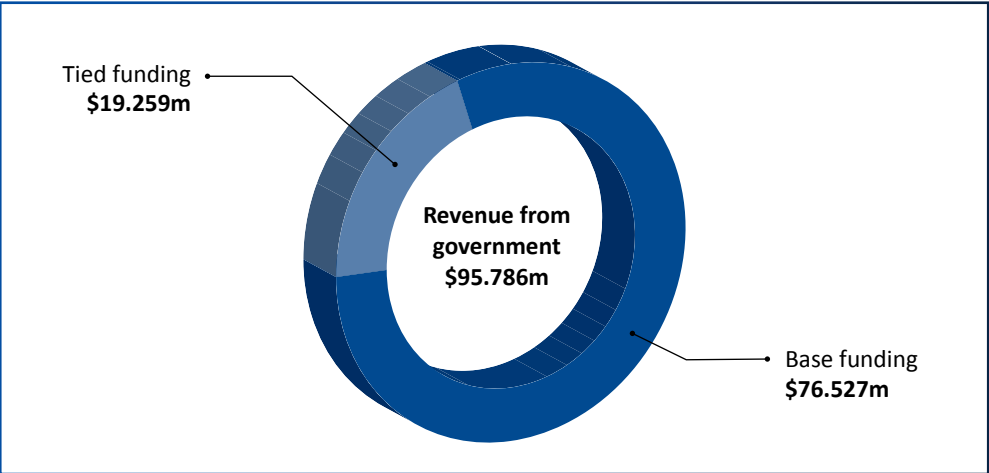
**Figure 2.11:** Revenue and expenditure (continued)



## Revenue from government

The \$95.786 million revenue from government was made up of base appropriation funding of \$76.527 million plus \$19.259 million of tied funding, as shown in Figure 2.12.

**Figure 2.12:** Revenue from government



The tied funding in 2020–21 consisted of:

- ▶ \$9.916 million to support deployment of high-end surveillance capability
- ▶ \$3.979 million to support delivery of the NCIS Tranche 1 program
- ▶ \$1.700 million to enhance the Criminal Intelligence Capability program and provide better training to the intelligence workforce for the ACIC and partner agencies

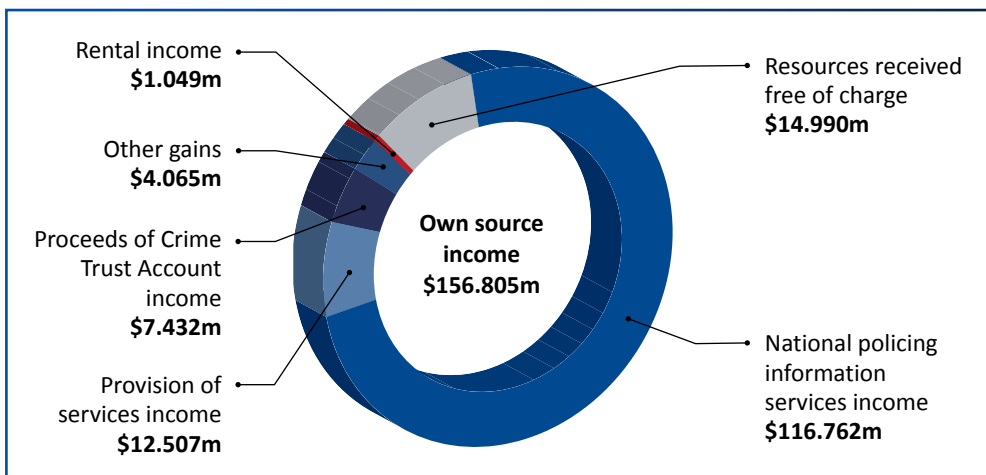
- ▶ \$1.641 million for the Australian Gangs Intelligence Coordination Centre
- ▶ \$1.190 million for the operation of the National Wastewater Drug Monitoring Program
- ▶ \$0.358 million to support 24/7 operation of the Australian Cyber Security Centre to prevent and combat cyber security threats
- ▶ \$0.257 million to provide family law courts with access to real-time detailed and accurate police information to supporting their issuing of Federal Family Violence Orders
- ▶ \$0.218 million to support development of a criminal intelligence assessment capability for use in background checking processes for aviation and maritime security identification cards.

## Own source income

In addition to the government appropriation as detailed in Figure 2.12, the ACIC had own source income as detailed in Figure 2.13.

Own source income consisted of \$116.762 million as a result of provision of national policing information services, \$7.432 million received from the Proceeds of Crime Trust Account (including \$2.293 million revenue credited to the National Policing Information Systems and Services Special Account), \$12.507 million from provision of services, \$14.990 million in resources received free of charge, \$4.065 million other gains and \$1.049 million rental income.

**Figure 2.13: Own source income**



## Internal controls

The ACIC's internal controls that ensured compliance with our financial management responsibilities included:

- ▶ senior management involvement in budget development, allocation and monitoring
- ▶ internal and external reporting, including providing financial information to the ACIC Board on the National Policing Information Systems and Services Special Account and reporting monthly to the Department of Finance and the ACIC executive
- ▶ full engagement with the ACIC Audit Committee
- ▶ periodic review of the Accountable Authority Instructions, policies and procedures to ensure compliance with the PGPA Act
- ▶ audit by the Australian National Audit Office and the ACIC's internal audit team
- ▶ engagement with the ACIC executive to identify breaches of financial management practices under the PGPA Act and to provide assurance to the Accountable Authority and the Chief Financial Officer
- ▶ centralised administration of procurement, property leases, assets, travel, credit cards, fleet vehicles, mobile phones and laptops.



Table 2.13: Entity resource statement

	Actual available appropriations for 2020–21 \$'000 (a)	Payments made 2020–21 \$'000 (b)	Balance remaining \$'000 (a – b)
<b>Departmental annual appropriations —ordinary annual services</b>			
Prior year appropriation available	67,066	67,066	—
Departmental appropriation (including departmental capital budget) <sup>1</sup>	101,271	53,928	47,343
Section 74 relevant agency receipts <sup>2</sup>	19,807	17,886	1,921
<b>Total ordinary annual services</b>	<b>188,144</b>	<b>138,880</b>	<b>49,264</b>
<b>Annual appropriation—other services non-operating</b>			
Prior year appropriation available	—	—	—
Equity injections <sup>3</sup>	8,679	6,681	1,998
<b>Total other services</b>	<b>8,679</b>	<b>6,681</b>	<b>1,998</b>
<b>Total annual appropriations</b>	<b>196,823</b>	<b>145,561</b>	<b>51,262</b>
<b>National Policing Information Systems and Services Special Account</b>			
Opening balance	121,079		
Appropriation receipts	10,660		
Non-appropriation receipts	112,610		
Payments made		115,548	
<b>Total special account</b>	<b>244,349</b>	<b>115,548</b>	<b>128,801</b>
Less: departmental appropriations drawn from annual appropriations and credited to special accounts	(10,660)		(10,660)
<b>Total resourcing and payments</b>	<b>430,512</b>	<b>261,109</b>	<b>169,403</b>

1. Annual departmental appropriation includes \$2.886m quarantined.

2. Section 74 agency receipts and payments exclude any GST component.

3. Equity injection funded for 2020–21 was \$8.679m of which \$1.998m has been re-phased for future years.

**Table 2.14: Expenditure by outcome**

<b>Outcome 1:</b> To make Australia safer through improved national ability to discover, understand and respond to current and emerging crime threats, including the ability to connect police and law enforcement to essential criminal intelligence, policing knowledge and information through collaborative national information systems and services.	Budget	Actual	
	2020–21 \$'000	2020–21 \$'000	Variation \$'000
<b>Departmental expenses</b>			
Departmental appropriation and section 74 agency receipts	118,678	106,637	12,041
National Policing Information Systems and Services Special Account	123,266	114,910	8,356
Expenses not requiring appropriation in the budget year	12,135	12,223	(88)
<b>Total departmental expenses</b>	<b>254,079</b>	<b>233,770</b>	<b>20,309</b>
<b>Total expenses for Outcome 1</b>	<b>254,079</b>	<b>233,770</b>	<b>20,309</b>

**Table 2.15: Average staffing level**

	Budget	Actual
	2020–21	2020–21
Average staffing level (number)	797.00	<b>701.89</b>

Note: This figure excludes AIC employees.



### CHEMICAL DIVERSION CONFERENCE

“ We collaborated with the Queensland Police Service to share perspectives on issues that are causing considerable hardship to the Australian community.

The 2021 Chemical Diversion Conference was jointly hosted by the ACIC and the Queensland Police Service in Brisbane in June 2021. The purpose of the event was to discuss emerging trends and issues in relation to the diversion of precursors, reagents and solvents for illicit drug production.

Precursor chemicals are essential for illicit drug production. The strong demand for illicit drugs and the significant profits to be made from the sale of precursor chemicals have made this a profitable enterprise in itself. As many of the relevant chemicals have legitimate industrial and domestic uses, control measures have to balance access for legitimate use with efforts to reduce their diversion to illicit markets.

The Minister for Home Affairs and the ACIC Chief Executive Officer delivered opening remarks at the conference, emphasising the critical role that partnerships between state and Commonwealth agencies and the public and private sectors play in the national response.

Conference attendees were provided with insights from international experts via a mix of remote and in-person presentations, with speakers from United Nations agencies, the Netherlands, New Zealand and the United States, as well as industry perspectives from Chemistry Australia and a site remediation company.

ACIC staff from the Sydney and Melbourne offices shared a domestic perspective via case studies, as did operational officers from 4 of our partner agencies. Valuable insights were also provided by forensic chemists from the ACIC and 3 jurisdictions. Officers from the ACIC and the Department of Home Affairs also described the overarching policy and intelligence context.

The conference brought together a wide range of experts and knowledge to benefit attendees both personally and professionally.



“ We deliver **accurate,**  
**timely** and **reliable**  
data and information

## Section 3

# Management and accountability

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### *Our governance, people and resources*

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# Internal governance

Our internal governance framework and processes ensure accountability and transparency and promote quality leadership, effective people management and efficient and ethical use of our resources. Our internal governance structure includes the ACIC executive and senior management committees.

## Accountable authority

The Chief Executive Officer (CEO) is the accountable authority of the ACIC for the purposes of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). Mr Michael Phelan APM was appointed CEO on 13 November 2017 and remained in that position throughout 2020–21.

## Executive

On 30 June 2021, the ACIC executive comprised the CEO, the Deputy CEO Corporate, the Deputy CEO Intelligence, the Chief Operating Officer, 2 executive directors, the Chief Financial Officer, the Chief Information Officer and 11 national managers.

Table 3.1 provides details of the positions and responsibilities of the members of the ACIC executive at 30 June 2021.

**Table 3.1: Executive positions and responsibilities**

Position title and name	Responsibilities
<b>Chief Executive Officer Office</b>	
Chief Executive Officer <b>Michael Phelan APM</b>	Responsible for overseeing the management and administration of the ACIC, managing our relationships with ministers, working collaboratively with ACIC Board member agencies, and providing leadership, strategic direction and strong governance for our agency. Our CEO is a non-voting member of the ACIC Board.
Acting Deputy CEO Intelligence <b>Matthew Rippon</b>	Responsible for leveraging the ACIC's unique intelligence collection capabilities to drive intelligence insights and disruption outcomes. This includes responsibility for examinations and covert collection capabilities, operational strategy, and the development of intelligence to deliver operational, policy and regulatory outcomes in response to the threat of serious and organised crime.
Acting Deputy CEO Corporate <b>Anne Brown</b>	Responsible for leading business and engagement for our key national policing information and background checking services. This includes the provision of important enabling functions to the ACIC, including ICT, financial services, workforce capability and assurance, legal services, strategic engagement and communication.
<b>Intelligence Operations</b>	
Acting Executive Director Intelligence Operations <b>Katie Willis</b>	Responsible for ACIC investigations and intelligence operations, intelligence products development and oversight of North Operations and South Operations.
National Manager North Operations <b>Darshana Sivakumaran</b>	Responsible for operations and stakeholder relationships (including oversight of state directors) in New South Wales, Queensland and the Northern Territory.

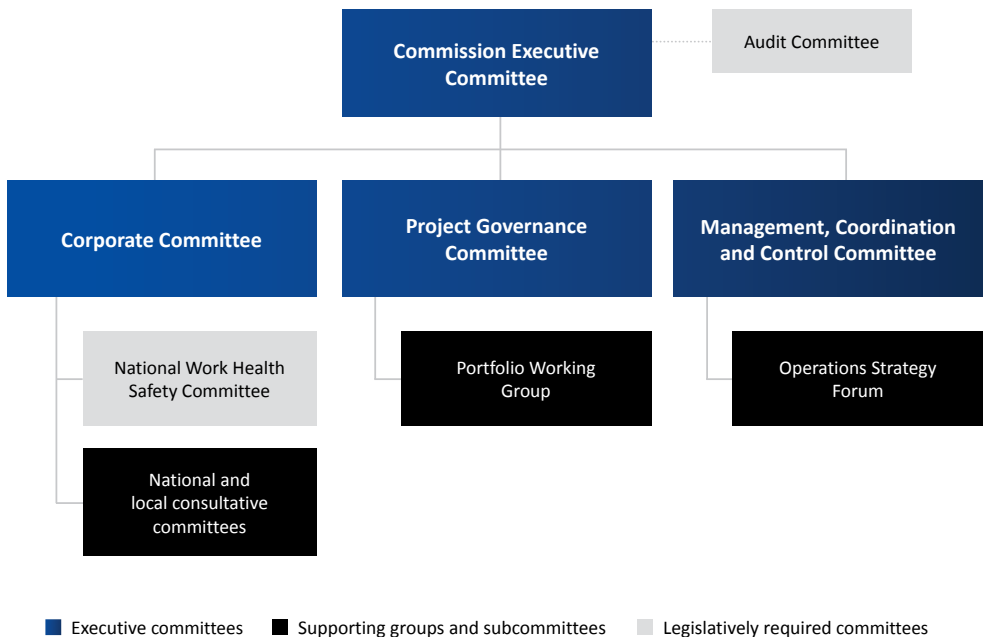
**Table 3.1: Executive positions and responsibilities (continued)**

Position title and name	Responsibilities
<b>Intelligence Operations</b>	
National Manager South Operations <b>Jason Halls</b>	Responsible for operations and stakeholder relationships (including oversight of state directors) in Victoria, Western Australia, South Australia and Tasmania.
National Manager Collection Operations <b>Robert Jackson</b>	Responsible for communication collections, covert technical operations, covert system integration, human source capability, undercover capability and national surveillance.
National Manager Operational Strategy <b>Tom Hester</b>	Responsible for operational strategy, Australian Priority Organisation Target disruption; joint agency operations; financial crime intelligence; intelligence development; and sports betting integrity.
National Manager Examinations <b>Warren Gray</b>	Responsible for the ACIC's examination capability.
Acting National Manager Strategic Intelligence Capability <b>Catherine Rushforth</b>	Responsible for national strategic intelligence, including drugs intelligence research, strategic analysis and criminal information services; and head of the determinations function for the agency.
<b>Business and Partnerships</b>	
Chief of Staff/Acting Executive Director Business and Partnerships <b>Jeremy Johnson</b>	Responsible for leading business and engagement for our key national policing information and background checking services and for supporting the ACIC to deliver its strategic priorities, stakeholder liaison, communication and governance functions.
Acting National Manager Executive Branch <b>Penny Edwards</b>	Responsible for government relations and engagement; governance and stakeholder liaison; media and communication; strategy; planning and performance; and strategic policy.
Acting National Manager Business Services <b>Kylie Swan</b>	Responsible for engaging with internal and external partners and customers to deliver on our stakeholders' current and future operational and strategic needs.
Acting National Manager National Police Checking Service <b>Peter Ingram</b>	Responsible for delivering community safety benefits by providing accurate and timely policing information and access to nationally coordinated criminal history checks for accredited bodies and Australian police agencies, and for project governance through the Portfolio Management Office.
<b>Chief Operating Office</b>	
Acting Chief Operating Officer <b>Yvette Whittaker</b>	Responsible for key enabling services, including people; security; business and innovation; finance; property; and legal services.
Acting National Manager Finance, Property and Procurement/Chief Financial Officer <b>Mollie Zeng</b>	Responsible for the financial management of the agency, procurement, the national property portfolio and business support.
National Manager Workforce Capability and Assurance <b>Tim Simpson</b>	Responsible for the delivery of people management and strategies, capability protection, behavioural intelligence, oversight and assurance, security, integrity, organisational psychology, learning and development, and specialist training and tradecraft.
National Manager Legal Services/General Counsel <b>Nicole Mayo</b>	Responsible for administrative and criminal law litigation; advice on the use of ACIC coercive and other police powers; policy development and legislative reform; risk and audit; and agreements.
<b>Chief Information Officer</b>	
Chief Information Officer <b>Stewart Sibree</b>	Responsible for providing and maintaining our national information capabilities and services to support policing and law enforcement.

## Senior management committees

Our committee structure comprises the Commission Executive Committee, the Management, Coordination and Control Committee, the Project Governance Committee and the Corporate Committee, and several other committees, panels, working groups and consultative committees. The relationships between senior management committees are shown in Figure 3.1.

**Figure 3.1:** Senior management committee structure at 30 June 2021



During 2020–21, we continued to adjust our internal committee structures to align with our functions and updated organisational structure. The scope of all committees was reviewed in light of the internal restructure that came into effect on 1 June 2021.

We will continue to review the structure throughout 2021–22, particularly as priorities change and new priorities emerge, to ensure that our governance is as effective and streamlined as possible.

### Commission Executive Committee

The Commission Executive Committee is our agency’s peak committee to support the achievement of ACIC strategic and business objectives, effective and efficient management of ACIC resources, strategic investment and management of risk.



The committee also ensures that we are accountable and meet the expectations of the ACIC Board, the Australian Government and the public. It receives reporting and advice from other executive committees, identifies and plans for future ACIC capability investments, and makes all major resourcing and funding decisions.

The Commission Executive Committee consists of the CEO (as Chair), the Chief Operating Officer, the executive directors and (since 1 June 2021) the deputy CEOs. The committee meets monthly, or more often if required.

## Corporate Committee

The Corporate Committee reviews and makes decisions on broader issues of organisational health and effective function. It receives relevant reporting on a broad spectrum of organisational health indicators and oversees key organisational improvement projects. This aspect of the committee function is supported by the National Work Health Safety Committee and the Diversity and Inclusion Sub-committee.

The committee consists of the deputy CEOs, the Chief Operating Officer, and the executive directors. The Chief Information Officer, the Chief Financial Officer and the Chief of Staff attend as observers. The committee meets quarterly, or more often if required.

### *Work health safety committees*

The ACIC has local work health safety committees and a National Work Health Safety Committee, with functions as described in section 77 of the *Work Health and Safety Act 2011*. Local committee meetings are held quarterly in our offices around the country and feed into the National Work Health Safety Committee meetings.

These committees are the primary means of consultation on work health and safety matters for our staff. They support the ACIC executive by helping to identify, develop, implement and review measures designed to manage a healthy and safe workplace for all staff.

More information on National Work Health Safety Committee activities in 2020–21 is in Appendix B.

### *National and local consultative committees*

The ACIC's enterprise agreement sets out the arrangements for consultation and communication within the ACIC. The formal consultative mechanisms are the National Consultative Committee and local consultative committees in our offices around the country. This framework enables consultations to take place between management and employees, through their representatives, and provides the mechanism for formal discussion of issues affecting the workplace.

## Project Governance Committee

The Project Governance Committee is an enterprise-level committee which enables the ACIC executive to oversee, and make decisions in relation to, all agency projects.

The committee membership is being reviewed in light of the internal restructure that came into effect on 1 June 2021. The membership at 31 May 2021 was:

- ▶ Chief Operating Officer (Chair)
- ▶ Executive Director Technology (Member)
- ▶ Executive Director Intelligence Operations (Member)
- ▶ Executive Director NCIS Program (Member)
- ▶ Chief Technology Officer (Member)
- ▶ Chief Financial Officer (Member)
- ▶ National Manager Business Services (Member)
- ▶ National Manager Operational Strategy (Member)
- ▶ Senior Advisor Business Systems Delivery (Adviser)
- ▶ Director Portfolio Management Office (Adviser)
- ▶ Chief of Staff (Observer)
- ▶ IT Security Advisor (Observer)
- ▶ Board and Strategic Engagement Team (Secretariat).

The committee meets quarterly, or more often if required.

The Portfolio Working Group is a formal subcommittee of the Project Governance Committee. The working group provides strategic advice and recommendations to the committee on proposed investments, while monitoring the current workplan to manage portfolio-wide delivery risks and issues.

## Operational committees

Changes to the management of our organised crime and intelligence work program were implemented in 2020–21. Initially, the Organised Crime Management Committee made decisions about the work program and the allocation of relevant resources to support the delivery of its objectives. In March 2021, the Organised Crime Management Committee was disbanded, and the Management, Coordination and Control Committee was created to provide strategic direction and prioritisation, and to monitor and evaluate intelligence operations performance.

The Operations Strategy Forum was also created, to provide strategic intent, oversight and accountability for ACIC intelligence operations to maximise national impacts and insights, and to manage the ACIC operational work program and resource allocation.

### *Management, Coordination and Control Committee*

The Management, Coordination and Control Committee's membership consists of the 2 deputy CEOs; the Executive Director Intelligence Operations and the Executive Director Business and Partnerships; and the national managers of Operational Strategy, Strategic Intelligence Capability, Collection Operations, North Operations, South Operations, and Examinations. The Head of Special ACIC Operations and Investigations attends as an adviser to the committee, which meets quarterly.

### *Operations Strategy Forum*

The Operations Strategy Forum's membership consists of the Executive Director Intelligence Operations (Chair); and the national managers of Operational Strategy, Strategic Intelligence Capability, Collection Operations, North Operations, South Operations, and Examinations. The National Manager Legal Services and the Head of Special ACIC Operations and Investigations attend as advisers to the committee, which meets monthly.

## Strategic planning

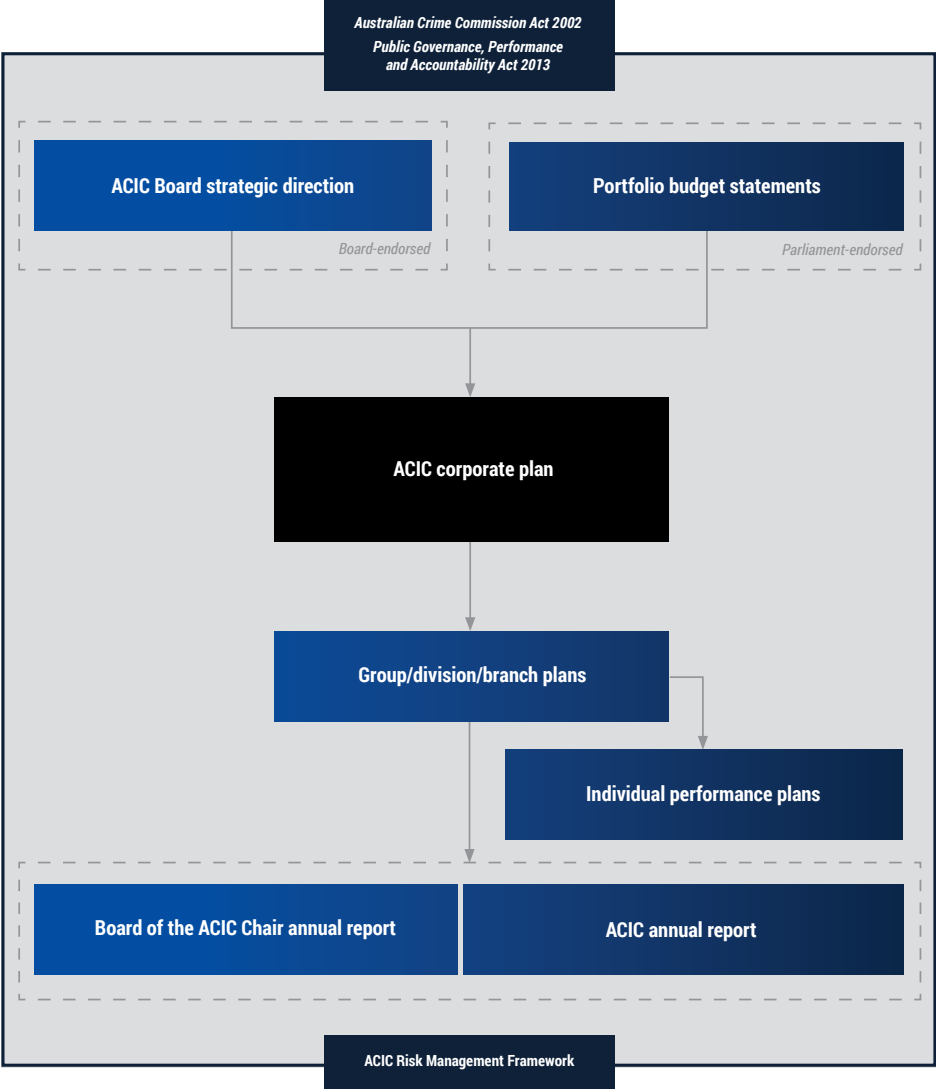
Strategic planning ensures that our activities and resources align with our strategic priorities and support the achievement of our purpose. Two key documents set out our goals and the approach we take to achieve them:

- ▶ the strategic direction, endorsed by the ACIC Board, which identifies our strategic objectives and articulates our functions, our culture and how we operate
- ▶ the corporate plan, which describes our operating environment, identifies our priorities and details how we manage risk, achieve our purpose and measure our performance.

Both documents are updated annually and cover 4 financial years. They are available on our website at <[www.acic.gov.au/publications/corporate-documents](http://www.acic.gov.au/publications/corporate-documents)>.

Our strategic planning framework connects our strategic direction, operational plans, risk assessment, resource allocation and performance measurement and monitoring, as shown in Figure 3.2.

Figure 3.2: Strategic planning framework



## Stakeholder research

We conduct an annual stakeholder survey to better understand stakeholders' perceptions and levels of satisfaction with our delivery of systems and services. The results also help us to assess our results against our performance criteria.

In 2020–21, an independent research and design company was engaged to undertake the survey. The survey attracted 254 respondents from a broad cross-section of agencies and classification levels and a range of areas, including policy, information systems, intelligence and investigations.

Respondents were asked questions relevant to their areas of work and interactions with us. Some responses to key questions are detailed in the annual performance statements in Section 2 of this report.

Respondents rated our overall performance in meeting their needs at 7.0 on a scale of 1 to 10, consistent with 2019–20 results. Most respondents agreed that the ACIC plays a unique and important role, particularly through facilitating the sharing of information through its policing information and intelligence systems, and collating and disseminating shared intelligence products.

Respondents identified the following as our most valuable services:

- ▶ the production and dissemination of intelligence products
- ▶ investigations work
- ▶ information and intelligence systems and services
- ▶ the provision of specialist capabilities
- ▶ the National Police Checking Service.

We will continue to focus on what our stakeholders told us were their biggest needs over the next 12 months. For 2021–22, those needs include:

- ▶ continued access to timely data and intelligence
- ▶ continued production and sharing of high-quality intelligence products and insights
- ▶ continued proactive engagement and collaboration with domestic and international partners
- ▶ delivery of IT projects.

## Internal audit

The internal audit function provides an independent advisory service which delivers support and assurance to the ACIC executive regarding the responsible, effective and efficient use of ACIC powers and resources.

The internal audit team is directly accountable to the CEO and the Audit Committee, and the roles, responsibilities and scope of the function are set out in the ACIC Internal Audit Charter.

In supporting the ACIC to achieve its objectives, our internal audit team has 3 main responsibilities:

- ▶ working with management to systematically review enterprise risks, controls, governance, systems and processes
- ▶ adding value to the ACIC by identifying opportunities for innovation and efficiency
- ▶ monitoring the implementation of audit outcomes.

The following key areas were examined by internal audit during 2020–21:

- ▶ **NCIS Assurance Program**—The audit noted the importance of independent program assurance from both technical and governance perspectives.
- ▶ **Rehabilitation Management System**—The audit noted the maturity of the ACIC’s rehabilitation management system, based on Comcare’s Rehabilitation Management Systems Audit Tool.
- ▶ **Use of lessons learnt from the Biometric Identification Solution (BIS) project**—The audit found that the ACIC has incorporated the lessons learnt from BIS into its project management framework, as demonstrated by the National Automated Fingerprint Identification System Hardware Stabilisation Project and the National Support System Technical Uplift and Business Enhancements Project.
- ▶ **Covert arrangements**—A range of audits were undertaken in accordance with legislative requirements.

We operate a co-sourced internal audit service and contract an external provider for a small number of our audits.

## Audit Committee

In accordance with responsibilities under section 45 of the PGPA Act, the CEO has established and maintains an independent Audit Committee. The committee’s authority is established under a charter, which sets out its functions and responsibilities. The ACIC Audit Committee Charter is available at <[www.acic.gov.au/about-us/governance#accordion-7](http://www.acic.gov.au/about-us/governance#accordion-7)>.

### Role

The Audit Committee endorses the ACIC Internal Audit Charter, approves the annual audit plan, reviews progress against the audit plan and considers all audit reports. It also monitors the implementation of all internal and Australian National Audit Office audit recommendations and takes a keen interest in the progress of recommendations arising from other review activity, including activity by the Commonwealth Ombudsman.

The Audit Committee provides advice on matters of concern raised by internal auditors or the Auditor-General and advises the CEO on the preparation and review of the ACIC’s annual performance statements and financial statements.

During 2020–21, the Audit Committee reviewed areas including:

- ▶ financial performance
- ▶ internal and external audit reports
- ▶ progress against audit recommendations
- ▶ planning and performance frameworks and reporting
- ▶ compliance with legislation
- ▶ risk oversight and management
- ▶ Australian National Audit Office activity.

## Members

At 30 June 2021, the Audit Committee consisted of an independent chair and 2 other independent members, 2 members from the ACIC executive, and an observer from the Australian National Audit Office.

As committee members, the ACIC officials provided insight and understanding into operational and technical aspects of ACIC work to support the committee's deliberations.

From 1 July 2021, the Audit Committee will consist of 3 independent members (including the Chair), and 3 special advisers appointed by the CEO: the Executive Director Intelligence Operations, the Chief Operating Officer and the Chief Information Officer.

The Audit Committee met 6 times in 2020–21. As prescribed under section 17AG(2A) of the *Public Governance, Performance and Accountability Rule 2014*, information on each audit committee member's qualifications, attendance at meetings and remuneration is set out in Table 3.2.

**Table 3.2: Audit Committee members**

Name	Qualifications, knowledge, skills or experience	Meetings attended and remuneration <sup>a</sup>
<b>Geoff Knuckey (Chair)</b>	<b>Bachelor of Economics (ANU), FCA, GAICD, RCA</b> An experienced audit committee member and chair, Geoff currently serves on audit committees for numerous government entities. He also has extensive experience as a director and serves on the boards and audit committees of several private sector entities. He has been a full-time company director and audit committee member since 2009, following a 32-year career with Ernst & Young specialising in audit and assurance services in the public and private sectors across a range of industries.	6/6 \$12,100
<b>Elizabeth Montano</b>	<b>Bachelor of Arts and Bachelor of Laws (UNSW), FAICD</b> Elizabeth has more than 20 years experience as a chair, deputy chair and member of boards and audit committees across a range of government and not-for-profit entities. She has broad-ranging experience in governance and the machinery of government, including in financial and performance reporting, risk, assurance, and program and project management and oversight. She is a former CEO of the Australian Transaction Reports and Analysis Centre (AUSTRAC) and senior financial services lawyer with King & Wood Mallesons.	6/6 \$14,025

**Table 3.2: Audit Committee members (continued)**

Name	Qualifications, knowledge, skills or experience	Meetings attended and remuneration <sup>a</sup>
<b>Janine McMinn</b> <i>Ceased February 2021</i>	<b>Bachelor of Arts (Computing, Statistics) (ANU), FAICD, CISA, CISM</b> Janine is an independent director and executive adviser with more than 34 years experience in internal audit, risk and information technology. Janine currently sits on 8 audit and risk committees and is President of the Australian War Memorial Voluntary Guides. She provides mentoring and coaching support to senior executives and to Master of Arts students at the Australian National University. Prior to retirement in 2015, she was a partner for Oakton's ICT assurance and security business. She has advised many organisations in the management of risk and ICT security and conducted assurance reviews in public and private organisations.	4/6 \$8,387
<b>Matthew Rippon</b> <i>Ceased 30 June 2021</i>	As the ACIC's Acting Deputy Chief Executive Officer Intelligence, Matthew is responsible for ACIC investigations and intelligence operations, our intelligence products development and oversight of state managers.	0/6 <sup>b</sup> \$0
<b>Stewart Sibree</b> <i>Ceased 30 June 2021</i>	As the ACIC's Chief Information Officer, Stewart is responsible for providing and maintaining our national information capabilities and services to support policing and law enforcement.	6/6 \$0

a. Total remuneration including GST. Independent members receive \$2,000–\$2,500 (excluding GST) for each meeting, including meeting preparations. Remuneration for committee service is not applicable to members who are ACIC officials.

b. Matthew Rippon was unable to attend due to operational reasons; a proxy was sent to one meeting.

## Risk management

The ACIC's risk management framework assists us to make risk-informed decisions that support our work to achieve our purpose while meeting our corporate and operational accountabilities.

During 2020–21, we:

- ▶ implemented our revised ACIC Risk Management Policy and Procedures to more closely align with the Commonwealth Risk Management Policy
- ▶ facilitated a deeper understanding of our enterprise risks through the application of bow-tie analysis to highlight the effectiveness of our key internal controls
- ▶ participated in multiagency risk forums and consulted with partner agencies on better practice approaches to managing risk.

We were recognised for our improvements in the 2021 Comcover Risk Management Benchmarking Survey. On a scale of 5 maturity levels, we were assessed as operating at level 4 ('embedded'). This ranking exceeded both the combined average maturity level and the targeted maturity level of the 156 surveyed entities as well as the maturity level of our peer group.



## Security and integrity

The ACIC is entrusted with coercive powers to enable us to effectively work with our partners to combat serious and organised crime in Australia. Security and integrity are critical in the use of those powers and in delivering our required outcomes to the Australian Government, our partner agencies and, more broadly, the public.

Our approach is to protect our people, information and assets and clearly articulate the responsibilities of our staff. We highlight the importance of the efforts of our staff in the security and integrity context and take action to identify and respond to security and integrity matters in a proactive and proportionate way.

Our security and integrity framework includes policy, procedural and instruction documents designed to educate ACIC staff and supports assurance initiatives.

### Protective security

The ACIC has a sound and comprehensive pre-employment screening process. This gives us a good understanding of the individual security risks and vulnerabilities that exist when staff commence in the agency, and the ability to incorporate practical and proactive mitigations to monitor and manage those risks.

Our senior leadership have a positive security culture and adopt a risk-based approach when considering all security risks. They regularly engage with key security staff before undertaking any decision which could have security implications for our people, information or assets.

Our internal corporate and operational teams work collaboratively with our external partners to:

- ▶ provide a secure environment for ACIC personnel
- ▶ protect sensitive and classified information collected by and entrusted to the ACIC
- ▶ proactively monitor and manage the changing risks within our protective security ecosystem
- ▶ harness security risk opportunities by recognising and implementing change to increase the efficiency or effectiveness of protective security measures.

### Security incidents

Our ability to detect, assess and mitigate security vulnerabilities relies upon accurate, timely and consistent reporting of all security incidents across the ACIC. All staff have an obligation to report security incidents.

The ACIC investigates all security incidents to determine whether the event constitutes an accidental or unintentional failure to observe the protective security mandatory requirements or a deliberate, negligent or reckless action that leads, or could lead, to the loss, damage, corruption or disclosure of official information or resources.

The ACIC's response may include internal investigations or external referral to other law enforcement agencies for investigation.

Incidents inform our ongoing engagement and communications strategies, which include providing additional security awareness training for relevant staff. Where possible, we incorporate specific examples of security incidents or breaches—from within the ACIC or shared by other agencies—into security awareness sessions and online learning modules.

The majority of security incidents reported in 2020–21 were low level and occurred within secure ACIC premises (for example, low-level classified documents being left on desks). These incidents have not significantly compromised the security of ACIC information, people or premises.

## Integrity assurance

In 2020–21, the ACIC expanded its internal integrity capability. Specialist intelligence and investigations resources have been engaged and are contributing to discovery, investigation and, where necessary, disruption activities.

We continue to work closely with the Integrity Commissioner in relation to notifying corruption matters and supporting joint agency operations. Our increased integrity capability provides us with a greater range of investigative options for matters returned from the Integrity Commissioner for the ACIC to investigate.

We also work closely with our integrity counterparts at the Australian Federal Police and jurisdictional partners, to support operations and enhance information sharing with prosecuting authorities in relation to potential criminal matters.

Our integrity focus demonstrates the ACIC's commitment to an integrity and assurance culture in the protection of our people, information, assets and infrastructure, and reflects our unique operating environment and our inclusion in the National Intelligence Community.

## Fraud and corruption

The ACIC's Fraud and Corruption Control Plan, in meeting the requirements set out in section 10 of the *Public Governance, Performance and Accountability Rule 2014*, outlines our attitude and approach to fraud and corruption control, summarises risks identified in the fraud and corruption risk assessment, and details mitigation strategies recommended to treat significant risks.

The ACIC works closely with partners to ensure that we are adequately and appropriately addressing risks within our operating environment, and ensures that staff have appropriate education and awareness to identify potential instances of wrongdoing and the reporting mechanisms available.

Where fraud or corruption is suspected, the matter may be subject to misconduct investigation, criminal investigation, or both. If sufficient evidence of a criminal offence is found, the matter may be referred to the Commonwealth Director of Public Prosecutions for consideration of criminal prosecution.

We are well connected with other organisations focused on preventing corruption. We participate in the Australian Commission for Law Enforcement Integrity (ACLEI) Community of Practice for Corruption Prevention, a network of integrity professionals from the agencies under ACLEI's jurisdiction that shares best practice strategies for detecting and deterring corrupt conduct and participates in discussions on key or emerging issues.

We are committed to deterring and preventing corruption by organised crime wherever it occurs. Where requested and as appropriate, we assist ACLEI with its investigations.

## Assumed identities

In accordance with Commonwealth, state and territory legislation, ACIC officers and supervised civilians may be authorised to acquire and use assumed identities for the purposes of conducting investigations or gathering intelligence in relation to serious and organised crime, or in associated support or training roles.

During 2020–21, as required under the legislation, we:

- ▶ reported to Commonwealth, state and territory ministers in accordance with legislative requirements
- ▶ reviewed the ongoing necessity for each authorised member of staff to continue to use an assumed identity
- ▶ conducted mandatory audits of ACIC records relating to assumed identities.

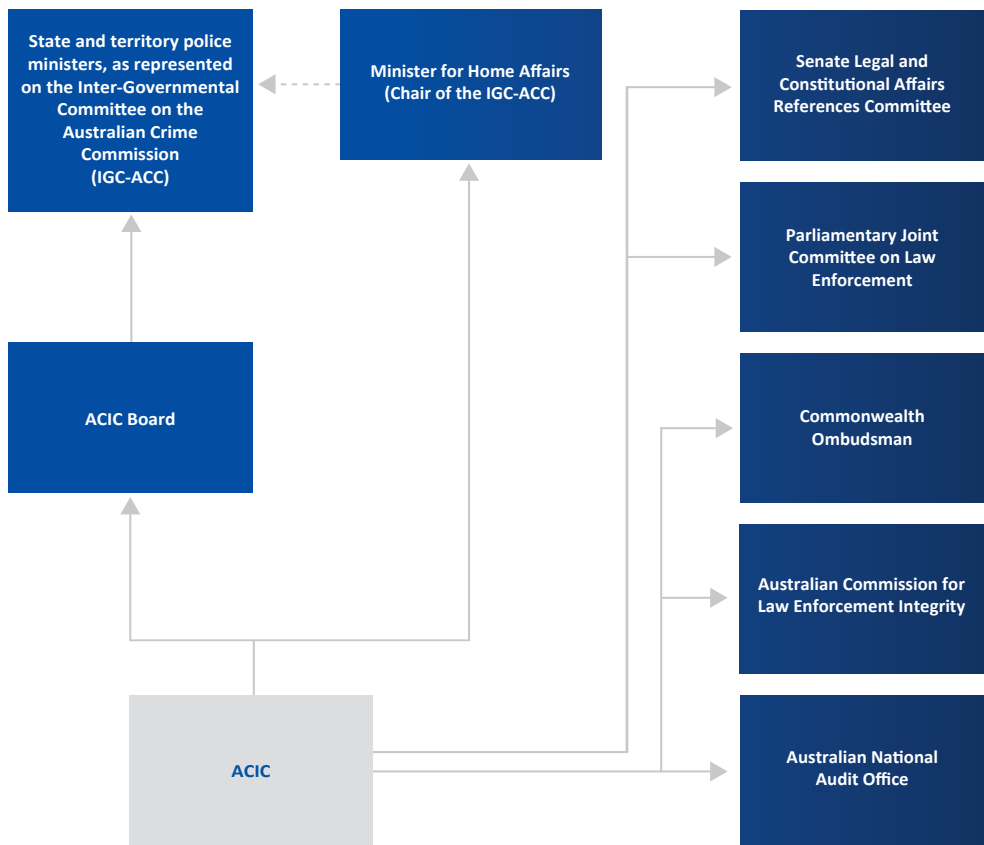
# External scrutiny

At 30 June 2021, the ACIC was part of the Home Affairs portfolio and accountable to the Minister for Home Affairs.

External scrutiny of the ACIC is exercised by the ACIC Board, the Inter-Governmental Committee on the Australian Crime Commission (IGC-ACC), the Parliamentary Joint Committee on Law Enforcement, and the Senate Legal and Constitutional Affairs References Committee.

Due to the nature of our business, we operate in a contested environment and may be subject to legal challenge as part of our operations. The Commonwealth Ombudsman, ACLEI and the Australian National Audit Office also form part of our external scrutiny framework, as shown in Figure 3.3.

**Figure 3.3:** External accountabilities at 30 June 2021



## Ministerial arrangements

At 30 June 2021, the Home Affairs portfolio included the following ministers:

- ▶ Minister for Home Affairs, the Hon. Karen Andrews MP
- ▶ Minister for Agriculture, Drought and Emergency Management, the Hon. David Littleproud MP
- ▶ Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, the Hon. Alex Hawke MP
- ▶ Assistant Minister for Customs, Community Safety and Multicultural Affairs, the Hon. Jason Wood MP.

While we are accountable to all portfolio ministers as required, most of our work during 2020–21 related to the areas covered by the Minister for Home Affairs. During 2020–21, the Hon. Peter Dutton MP was Minister for Home Affairs until 30 March, when he moved to another portfolio and the Hon. Karen Andrews MP was sworn in as Minister for Home Affairs.

## Parliamentary Joint Committee on Law Enforcement

The Parliamentary Joint Committee on Law Enforcement is established by the *Parliamentary Joint Committee on Law Enforcement Act 2010*. The functions of the committee are to:

- ▶ monitor and review the performance of the ACIC and Australian Federal Police (AFP) and their functions
- ▶ report on any matters relating to the ACIC or AFP or their performance of which the committee thinks the parliament should be aware
- ▶ examine the annual reports of the ACIC and AFP and report on any matter appearing in, or arising out of, any such annual report
- ▶ examine trends and changes in criminal activities, practices and methods and report on any changes to the functions, structure, powers and procedures of the ACIC or AFP that the committee thinks desirable
- ▶ inquire and report on any question in connection with its functions that is referred to it by the parliament.

The committee's review of the ACIC annual report is usually done through a public hearing. The committee meets as required.

On 25 June 2021, the ACIC appeared before the Parliamentary Joint Committee on Law Enforcement's inquiry regarding the operation of the *Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2019*. The committee considered whether that Act:

- ▶ appropriately streamlined the process by which the ACIC Board determines to authorise the ACIC to undertake a special ACIC operation or special ACIC investigation
- ▶ ensured the validity of, at that time, current, former and future special ACIC operation and special ACIC investigation determinations of the ACIC
- ▶ effectively achieved its aim of enabling the ACIC to continue to fulfil its statutory obligations without interruption.

At 30 June 2021, the Parliamentary Joint Committee on Law Enforcement consisted of 10 members: 5 members from the Senate (appointed by the Senate) and 5 members from the House of Representatives (appointed by the House of Representatives).

The members of the committee were:

- ▶ Mr Julian Simmonds MP (Chair)
- ▶ Dr Anne Aly MP (Deputy Chair)
- ▶ Senator Alex Antic
- ▶ Mr Pat Conaghan MP
- ▶ the Hon. Justine Elliot MP
- ▶ Mr Garth Hamilton MP
- ▶ Senator Sue Lines
- ▶ Senator Andrew McLachlan CSC
- ▶ Senator Helen Polley
- ▶ Senator Lidia Thorpe.

## Parliamentary Joint Committee on Intelligence and Security

The Parliamentary Joint Committee on Intelligence and Security is established by section 28 of the *Intelligence Services Act 2001*. Its main functions as related to the ACIC are:

- ▶ building bipartisan support for national security legislation by reviewing national security Bills introduced to parliament
- ▶ ensuring that national security legislation remains necessary, proportionate and effective by conducting statutory reviews.

The committee meets as required.

At 30 June 2021, the Parliamentary Joint Committee on Intelligence and Security consisted of 11 members: 5 members from the Senate (appointed by the Senate) and 6 members from the House of Representatives (appointed by the House of Representatives).

The members of the committee were:

- ▶ Senator James Paterson (Chair)
- ▶ the Hon. Anthony Byrne MP (Deputy Chair)
- ▶ Senator the Hon. Eric Abetz
- ▶ Dr Anne Aly MP
- ▶ the Hon. Mark Dreyfus QC MP
- ▶ Senator the Hon. David Fawcett
- ▶ Ms Celia Hammond MP
- ▶ Senator the Hon. Kristina Keneally

- ▶ Mr Julian Leaser MP
- ▶ Senator Jenny McAllister
- ▶ Mr Tim Wilson MP.

## Other parliamentary committees

Each year we contribute to various parliamentary inquiries affecting the Commonwealth's law enforcement and intelligence capability and activities.

in 2020–21, in addition to those contributions, the ACIC appeared before the Senate Legal and Constitutional Affairs References Committee as part of the Budget Estimates hearings on 20 October 2020, 22 March 2021 and 25 May 2021. Transcripts of the proceedings and responses to questions on notice are available on the committee's website.

The ACIC actively participates in the development, implementation and evaluation of policy and legislation relating to agency powers and functions, emerging issues and trends, and oversight of the broader intelligence and law enforcement community.

## Inter-Governmental Committee on the Australian Crime Commission

The IGC-ACC is established by section 8 of the *Australian Crime Commission Act 2002* (ACC Act), with the following functions:

- ▶ to monitor generally the work of the ACIC and the ACIC Board
- ▶ to oversee the strategic direction of the ACIC and the ACIC Board
- ▶ to receive reports from the ACIC Board for transmission to the governments represented on the committee and to transmit those reports accordingly.

The IGC-ACC monitors the work and strategic direction of the ACIC and the ACIC Board, including the use of coercive powers. Under certain circumstances, the committee has the authority to revoke a board determination.

The IGC-ACC consists of the Minister for Home Affairs and a minister to represent each state and territory government, nominated by the premier or chief minister of the state or territory. At 30 June 2021, the members were:

- ▶ the Hon. Karen Andrews MP (Commonwealth) (Chair)
- ▶ the Hon. David Elliott MP (New South Wales)
- ▶ Mr Mick Gentleman MLA (Australian Capital Territory)
- ▶ the Hon. Nicole Manison MLA (Northern Territory)
- ▶ the Hon. Danny Pearson MP (Victoria)
- ▶ the Hon. Paul Papalia CSC MLA (Western Australia)
- ▶ the Hon. Mark Ryan MP (Queensland)
- ▶ the Hon. Jacquie Petrusma MP (Tasmania)
- ▶ the Hon. Vincent Tarzia MP (South Australia).

## ACIC Board

The ACIC Board is established by section 7B of the ACC Act and is responsible for providing strategic direction to the ACIC and setting strategic priorities for the agency. The board is also responsible for approving special ACIC operations and special ACIC investigations to allow use of the coercive powers set out in the ACC Act.

In setting the ACIC's strategic direction, the board is able to fuse together state, territory and national interests through its membership and provides a significant platform from which to operate collaboratively with our partners.

## Members

The board considers a range of issues at each meeting, including the overall performance of key areas of ACIC work. It also plays an active role in addressing strategic issues faced by the ACIC and authorising or identifying key areas of new work that we should pursue.

The ACIC Board membership consists of the:

- ▶ Commissioner, Australian Federal Police (Chair)
- ▶ Secretary, Department of Home Affairs
- ▶ Commissioner, Australian Border Force (Comptroller-General, Customs)
- ▶ Chair, Australian Securities and Investments Commission
- ▶ Director-General of Security, Australian Security Intelligence Organisation
- ▶ Commissioner of Taxation, Australian Taxation Office
- ▶ commissioners of all state police forces and the Northern Territory Police Force, and the Chief Police Officer, ACT Policing
- ▶ CEO, ACIC (as a non-voting member).

The CEO of the Australian Transaction Reports and Analysis Centre (AUSTRAC) and the Secretary of the Attorney-General's Department attend board meetings as non-voting observers.

The representatives of Victoria Police, the Australian Securities and Investments Commission and the Attorney-General's Department changed during 2020–21.

## Meetings

In 2020–21, the board met 4 times and:

- ▶ reviewed the ACIC's strategic priority areas, planned activity and response to identified threats, and determined the priorities for special ACIC investigations and special ACIC operations
- ▶ established the ACIC Board National Policing Systems Subcommittee (under section 7K of the ACC Act), which is responsible for considering matters in relation to national policing systems and the National Policing Information Systems and Services Special Account, and making recommendations to the Board for endorsement



- ▶ made a submission to the Parliamentary Joint Committee on Law Enforcement's inquiry into the operation of the *Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2019*
- ▶ considered arrangements for the National Criminal Intelligence System
- ▶ reviewed the National Policing Information Systems and Services Special Account revenue and prioritisation of national policing information projects for 2021–22
- ▶ endorsed the National Policing Information Systems and Services Special Account Financial Management Principles 2020
- ▶ endorsed the Partner Agency Funding Framework for National Policing Information projects
- ▶ approved the ACIC *Strategic Direction 2021–25*.

## Determinations

The board authorises special ACIC investigations and special ACIC operations by written determination. The special ACIC investigations and special ACIC operations seek to disrupt criminal enterprises through intelligence-led responses. The board must be satisfied that authorisations of the special ACIC investigations and special ACIC operations are in the public interest and informed by the board members' collective experience.

Tables 3.3 and 3.4 show the special ACIC investigations, special ACIC operations and task forces that operated under board determinations in 2020–21.

**Table 3.3: Board-approved special ACIC investigations and special ACIC operations**

Authorisation/determination	Type	Date established
Highest Risk Criminal Targets No. 2 (as amended)	Special investigation	4 September 2013
High Risk and Emerging Drugs No. 3	Special operation	21 June 2017
Firearm Trafficking <sup>a</sup>	Special operation	21 June 2017
Criminal Exploitation of Australia's Migration System No. 2	Special operation	13 June 2018
Cyber-Related Offending No. 2	Special operation	13 June 2018
Emerging Organised Crime Threats No. 3	Special operation	13 June 2018
Firearm Trafficking No. 2	Special operation	13 June 2018
High Risk and Emerging Drugs No. 4	Special operation	13 June 2018
Highest Risk Criminal Targets No. 3	Special investigation	13 June 2018
National Security Impacts from Serious and Organised Crime No. 3	Special operation	13 June 2018
Outlaw Motor Cycle Gangs No. 2	Special operation	13 June 2018
Targeting Criminal Wealth No. 3	Special investigation	13 June 2018
Criminal Exploitation of Australia's Migration System 2020	Special ACIC operation	28 July 2020
Cyber-Related Offending 2020	Special ACIC operation	28 July 2020
Emerging Organised Crime Threats 2020	Special ACIC operation	28 July 2020
Firearm Trafficking 2020	Special ACIC operation	28 July 2020
High Risk and Emerging Drugs 2020	Special ACIC operation	28 July 2020
Highest Risk Criminal Targets 2020	Special ACIC investigation	28 July 2020
National Security Impacts from Serious and Organised Crime 2020	Special ACIC operation	28 July 2020
Outlaw Motor Cycle Gangs 2020	Special ACIC operation	28 July 2020
Targeting Criminal Wealth 2020	Special ACIC investigation	28 July 2020
Foreign Interference Impacts from Serious and Organised Crime 2021	Special ACIC operation	16 June 2021

a. This determination was unintentionally omitted from Table 3.3 of the 2019–20 annual report.

Note: Special operations and special investigations established on 13 June 2018 expired on 30 June 2021.

**Table 3.4:** Board-established task forces

Task force	Date established
National Task Force Morpheus	1 July 2014
Transnational Criminal Intelligence Task Force (Vestigo Task Force)	30 November 2016
National Criminal Intelligence System User and Support Task Force	13 June 2018

## Annual report by the Chair

Details of ACIC Board meetings and a report on the ACIC's operations are contained in the ACIC Board's Chair annual report, which is tabled separately as soon as is practicable after 30 June and fulfils the reporting requirements of the ACC Act.

## External engagement

The board has endorsed external committees comprising representatives from board member agencies and other relevant partner agencies to provide advice to the ACIC CEO in accordance with the CEO's functions as prescribed under the ACC Act. The 3 committees and their roles are as follows:

- ▶ **Law Enforcement Information Services Capability Committee**—This committee informs the development, implementation and operation of initiatives that support national law enforcement information-sharing services and systems for Australia's police, wider law enforcement and national security agencies.
- ▶ **National Criminal Intelligence Capability Committee**—This committee promotes and champions the professionalism of the national criminal intelligence capability and collaborates on strategic intelligence issues at the national level to ensure coordinated advice for Australia's police, wider law enforcement and national security agencies.
- ▶ **Technology Capability Committee**—This committee informs and supports the development, implementation and operation of the national services and systems that we deliver for Australia's police, wider law enforcement and national security agencies.

## Australian Commission for Law Enforcement Integrity

ACLEI was established by the *Law Enforcement Integrity Commissioner Act 2006* to prevent, detect and investigate corruption in law enforcement agencies, including the ACIC and the former National Crime Authority, where necessary.

Under the *Law Enforcement Integrity Commissioner Act 2006*, our CEO is required to notify the Integrity Commissioner of corruption issues that relate to the ACIC. While the responsibility to notify the commissioner rests with the CEO, the ACIC and ACLEI work collaboratively and cases are discussed to assess whether there should be a notification.

## Commonwealth Ombudsman

As part of their oversight of the agency, the Commonwealth Ombudsman visited the ACIC offices in Brisbane, Sydney, Melbourne and Canberra to conduct a total of five in-person inspections. The ACIC also facilitated three remote inspections due to restrictions imposed as a result of the COVID-19 pandemic.

Following each inspection, the Ombudsman provided a report which outlined their findings as well as suggestions to improve our policy, procedures or processes. In most reports, the Ombudsman expressed satisfaction with our approach to quality assurance, commitment to compliance and responsiveness to remedying issues as they arose. Reports outlining the results of the Ombudsman's inspections of ACIC records become publicly available once the Minister has tabled them in parliament.

In response to feedback from the Ombudsman, the ACIC has implemented a review of our governance, our training and our destructions program, which will ensure that our internal processes remain aligned with best practice.

As part of our compliance framework, we maintain a productive relationship with the Ombudsman's office, and its advice on best practice or suggestions for improvement guide the development of our policy, procedures and training programs.

## Australian National Audit Office

The Australian National Audit Office did not undertake any performance audits involving the ACIC during 2020–21. However, the Auditor-General's performance audits of other agencies provided insights and learning to the ACIC's Audit Committee.

## Freedom of information

As an agency subject to the *Freedom of Information Act 1982*, we are required to publish information to the public as part of the Information Publication Scheme. That information can be found on our website at <[www.acic.gov.au/about-us/freedom-information/freedom-information-process](http://www.acic.gov.au/about-us/freedom-information/freedom-information-process)>.

## Judicial decisions

The ACIC is subject to legal challenge as a normal part of its operations. This may occur in the context of applications in the Federal Court for judicial review under the *Administrative Decisions (Judicial Review) Act 1977* or section 39B of the *Judiciary Act 1903*, or as part of the criminal justice process, such as in contested subpoenas or applications for a stay of criminal proceedings.

In 2020–21, there were no decisions that would have a significant effect on the operation of the ACIC. However, 2 matters resolved in 2020–21 related to matters which were reported on in the 2019–20 annual report; the outcomes are reported below.

### *CXXXVIII v Commonwealth of Australia & Ors*

CXXXVIII (a court-ordered pseudonym) was served with a summons to appear before an examiner in furtherance of a special investigation. He was also served with a forthwith notice to produce, at the time and place of service, certain items in his custody and control. The examiner conceded that the summons and notice were ineffectually served, for different reasons. The examiner exercised his powers and issued a fresh summons and a new notice, which were subsequently served on CXXXVIII.

On 27 June 2018, CXXXVIII filed an application for judicial review seeking to challenge the decision to issue the 2 summonses and 2 notices served on him. The ACIC conceded that the first notice and the first summons were ineffectually served/deficient, but contended that the second summons and second notice were lawfully and validly issued and served.

The matter was heard in an expedited hearing, and Justice Brown ruled in favour of the respondents on 31 August 2018. On 20 September 2018, CXXXVIII filed an application in the Full Federal Court seeking to appeal the whole of the decision of Justice Brown. His application was unsuccessful.

CXXXVIII applied to the High Court, and was granted special leave in respect of the whole of the Full Federal Court's judgement.

Following amendments to the ACC Act by the *Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2019*, which came into effect on 10 December 2019, the applicants amended the grounds of appeal to challenge the validity of parts of those legislative amendments.

In August 2020, the summons and notice issued to CXXXVIII were withdrawn and the proceedings before the High Court were discontinued by consent.

### *X v Sage*

X (a court-ordered pseudonym) was summonsed to attend an examination under the ACC Act. On 28 May 2020, X filed an application for judicial review seeking orders to prevent the examination from proceeding on a number of administrative law grounds. In particular, X challenged the constitutional validity of the provisions in the ACC Act that permit examinations of persons 'post-charge'. In August 2020, the matter resolved as a result of X being discharged from the summons being challenged.

## Contempt of the ACIC

ACIC examiners have the power to apply for a witness to be dealt with for contempt of the ACIC in certain circumstances. Those applications are heard in either the Federal Court or the relevant state or territory Supreme Court.

Two contempt proceedings were finalised in 2020–21.

### *Anderson v EVA20 [2021] FCA 457*

On 10 September 2020, EVA20 (a court-ordered pseudonym) appeared before an ACIC examiner in answer to a summons. EVA20 was asked 6 questions which the examiner required him to answer. EVA20 refused to answer each question. On 16 November 2020, contempt proceedings were commenced in the Federal Court.

On 5 February 2021, EVA20 pleaded guilty to 6 charges of contempt of the ACIC. On 6 May 2021, EVA20 was sentenced to imprisonment until further order of the Court. The Court indicated that in the event that EVA20 purges his contempt there will be the opportunity for the continuation of his imprisonment to be reviewed.

### *Lusty v CRA20 [2020] FCA 1737*

On 31 January 2020, CRA20 (a court-ordered pseudonym) appeared before an ACIC examiner in response to a summons issued to him and refused to answer questions. Contempt proceedings were commenced under section 34A of the ACC Act. On 3 December 2020, CRA20 was found guilty of contempt of the ACIC for refusing to answer 14 questions.

On 3 December 2020, CRA20 was sentenced to a full-time custodial period of imprisonment of 8 months. Should CRA20 purge his contempt, the Court would be minded to suspend the remainder of the sentence upon application to the Court.

## Legislative changes

The *Transport Security Amendment (Serious Crime) Act 2021* will amend the ACC Act to introduce a new function for the ACIC. The amendments will provide for the ACIC to conduct criminal intelligence assessments as a part of the background checking process for applicants and existing holders of an Aviation Security Identification Card (ASIC) and/or a Maritime Security Identification Card (MSIC).

Under the new function, the ACIC will assess, by reference to intelligence and information available to the ACIC, whether a person may commit, or may assist another person to commit, a serious and organised crime. Where the ACIC makes an adverse assessment in relation to an applicant for, or holder of, an ASIC/MSIC, that person will not be eligible to obtain or maintain an ASIC/MSIC. Adverse assessments will be reviewable in the Security Division of the Administrative Appeals Tribunal.

The amendments to the ACC Act will commence on 22 June 2022. This date will allow time for associated amendments to be made to the underlying regulations (*AusCheck Regulations 2017*, *Aviation Transport Security Regulations 2005* and *Maritime Transport and Offshore Facilities Security Regulations 2003*) and for the ACIC to develop the criminal intelligence assessment capability to support the new function.

The *Australian Crime Commission Regulations 2018* were also subject to a minor technical amendment in 2020–21, following the establishment of Sport Integrity Australia.

## Our people

At 30 June 2021, the ACIC had a staff of 768 Australian Public Service (APS) employees and statutory office holders, including 25 staff from the Australian Institute of Criminology (AIC), supplemented by 29 secondees from Commonwealth, state and territory law enforcement and other Commonwealth agencies.

Our workforce includes investigators, intelligence analysts, psychologists, physical and technical surveillance operatives, lawyers, specialist examinations staff, business and systems analysts, information architects, and corporate services staff. We have staff from 20 years to 76 years of age.

We work closely with staff from our partner agencies, some of whom are seconded to the ACIC to work in multiagency task forces and joint analyst groups. We also engage contractors and consultants to provide specialised services as required.

Detailed statistics on the ACIC's staffing are provided in Appendix C. Information on our use of consultants is provided in the 'Resource management' section on pages 94–95.

### Staffing profile

Table 3.5 shows our staffing profile at the end of 2020–21.

**Table 3.5: Staffing profile at 30 June 2021**

Staffing category	Number of staff
APS employees and statutory office holders	768 <sup>a</sup>
Secondees funded by the ACIC <sup>b</sup>	12
Secondees funded by jurisdictions <sup>b</sup>	17
<b>Total core staff</b>	<b>797</b>
Task force members	176
<b>Total overall available resources</b>	<b>973</b>

APS = Australian Public Service

a. This is equivalent to 727.72 full-time staff. Secondees and task force members cannot be accurately reflected in full-time equivalent staffing level numbers.

b. This table shows the numbers of secondees and task force members at 30 June 2021. However, as secondees and task force members work with us for different periods of time throughout the year, the overall total for 2020–21 was 255.

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

During 2020–21, our average staffing level of APS employees and statutory office holders was 724.26 staff. This included 4 statutory office holders—3 examiners and the CEO—all appointed on fixed-term arrangements.

At 30 June 2021, we had a total of 29 secondees from 10 agencies, on short-term or long-term assignment. During the year, we hosted a total of 45 secondees.

We coordinate and participate in joint task forces and joint analyst groups with partner agencies. At 30 June 2021, we had 176 task force members from 15 agencies, on short-term or long-term assignment. During the year, we hosted a total of 210 task force members.

Table 3.6 shows a breakdown of secondees and task force staff by home agency and jurisdiction at 30 June 2021.

**Table 3.6: Secondees and task force staff by home agency and jurisdiction at 30 June 2021**

Agency	Secondees funded by the ACIC	Secondees funded by jurisdiction	Task force staff funded by jurisdiction
Australian Transaction Reports and Analysis Centre	–	2	7
Australian Defence Force	–	–	1
Australian Federal Police	2	7	37
Australian Securities and Investments Commission	–	3	–
Australian Taxation Office	–	1	4
Department of Home Affairs	1	2	50
Northern Territory Police Force	–	–	3
New South Wales Crime Commission	–	–	1
New South Wales Police Force	2	2	1
Queensland Crime and Corruption Commission	–	–	1
Queensland Police Service	1	–	10
Sport Integrity Australia	–	–	3
South Australia Police	–	–	1
Tasmania Police	2	–	1
Victoria Police	3	–	43
Western Australia Police Force	1	–	13
<b>Total</b>	<b>12</b>	<b>17</b>	<b>176</b>

Table 3.7 shows staffing profile trends over the 3 most recent financial years.

**Table 3.7: Staffing profile trends**

Headcount at 30 June	2018–19	2019–20	2020–21
APS employees and statutory office holders	770	781	768
Secondees funded by the ACIC	21	24	12
Secondees funded by other jurisdictions	17	19	17
<b>Total core staff</b>	<b>808</b>	<b>824</b>	<b>797</b>
Task force and joint analyst group members	101	113	176
<b>Total overall available resources</b>	<b>909</b>	<b>937</b>	<b>973</b>
Full-time equivalent <sup>a</sup>	729.16	740.71	727.72
Average staffing level <sup>a</sup>	745.61	737.22	724.26

APS = Australian Public Service

a. Australian Public Service employees and statutory office holders only.

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.



During the year, our staff were based in 8 locations around Australia, as shown in Table 3.8, and 2 overseas locations.

**Table 3.8:** Australian Public Service employees and statutory office holders by location at 30 June 2021

Location	Number
Canberra	432
Sydney	124
Melbourne	78
Brisbane	66
Adelaide	32
Perth	30
Darwin	2
Hobart	2
Overseas	2

As shown in Table 3.9, at 30 June 2021 we had 13 classification levels: APS levels 1–6, Executive Level (EL) levels 1 and 2, Senior Executive Service (SES) bands 1, 2 and 3 and our CEO and examiners, who are statutory office holders.

**Table 3.9:** Australian Public Service employees and statutory office holders by classification level at 30 June 2021

Classification level	Number
CEO	1
SES 3	0
SES 2	3
SES 1	11
EL 2	78
EL 1	298
APS 6	142
APS 5	102
APS 4	102
APS 3	25
APS 2	2
APS 1	1
Examiners	3

APS = Australian Public Service, CEO = Chief Executive Officer, EL = Executive Level, SES = Senior Executive Service

Note: These figures represent positions that were substantively filled at 30 June 2021. Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

## Diversity and inclusion

The ACIC is committed to creating an environment that respects and values the expertise, experiences and abilities of all our employees. In doing so, we are able to build an inclusive and diverse workforce that allows us to better serve and protect the community.

The Diversity and Inclusion Sub-committee oversees our diversity program and reports to the Corporate Committee. It consists of SES-level Diversity Champions who meet quarterly to discuss, monitor and track our progress against our diversity action plans and key Australian Government initiatives.

Our Reconciliation Action Plan Working Group and LGBTIQ+ Working Group, which comprise employees at all levels, promote awareness, access and inclusion within the agency and meet quarterly to develop and review initiatives.

The ACIC has 5 diversity action plans, which focus on:

- ▶ gender equality
- ▶ people from culturally and linguistically diverse backgrounds
- ▶ Aboriginal and Torres Strait Islander people
- ▶ people with disability
- ▶ LGBTIQ+ people (lesbian, gay, bisexual, transgender, intersex, queer/questioning and/or outside the gender binary).

In 2020–21, we used the Diversity Action Plan Progress Scorecard to summarise and report on our progress against the action plans that expired in 2020. The scorecard highlights key successes and tracks initiatives in progress. Final reports and recommendations were made for each expired action plan, to review successes and lessons learnt and consider new or ongoing initiatives.

## Gender

Our *Gender Action Plan 2017–2020* outlined our commitment and intention to address gender equality. It aimed to build on our inclusive culture by fostering a broader and equitable talent base to strengthen capability and operational effectiveness.

During 2020–21, the ACIC:

- ▶ participated in an online panel discussion with the Department of Home Affairs to celebrate International Women's Day and discuss ways to recognise and improve gender equality in the workplace
- ▶ supported our staff to participate in the Women in Law Enforcement Strategy mentoring program co-chaired by the ACIC Gender Equality Deputy Champion
- ▶ completed a review and tracking of the recruitment process to ensure that its processes and language are equitable
- ▶ finalised the gender action plan report, to highlight progress and make recommendations for future initiatives.

Women made up 50 per cent of our organisation in 2020–21, as shown in Table 3.10.

**Table 3.10:** Australian Public Service employees and statutory office holders by gender at 30 June 2021

Gender	Number	Percentage
Male	384	50
Female	384	50
Indeterminate	—	—

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

At 30 June 2021, female APS employees made up 68.2 per cent of employees in APS levels 1–6 and 33.1 per cent of employees in EL levels 1 and 2 and the SES. A further breakdown of the gender distribution of our APS employees by classification is in Appendix C, tables C.5 to C.8.

## Cultural and linguistic diversity

The ACIC acknowledges, respects and promotes cultural and linguistic diversity within our workforce. Our *Cultural and Linguistic Diversity Action Plan 2017–2020* aimed to create safe and inclusive environments to increase cultural awareness.

In 2020–21, we continued to foster an inclusive, positive and productive working environment by:

- ▶ celebrating significant events such as Harmony Day, including by developing a shared Harmony Day recipe book
- ▶ continuing to develop our multilingual capabilities, including our language skills registry, which currently has more than 37 languages registered to assist with operations
- ▶ holding a corporate membership with Diversity Council Australia
- ▶ promoting the ACIC as an employer of choice in all position descriptions and diversity groups, by publishing a statement of diversity and inclusion for externally advertised vacancies
- ▶ finalising the cultural and linguistic diversity action plan report, to highlight progress and make recommendations for future initiatives.

Of our staff, 13.8 per cent have self-identified as being from a non-English speaking background, 7.8 per cent have stated that they do not have English as their first language, and 19.2 per cent have stated that Australia is not their country of birth.

## Reconciliation Action Plan

The *ACIC Reconciliation Action Plan 2018–20* allowed the ACIC to foster respectful and productive relationships with Aboriginal and Torres Strait Islander people and communities. The action plan was finalised with the publication of the *Innovate—Reconciliation Action Plan Report—Final report for 2018–20*, detailing our successes and capturing lessons learnt. The report was submitted to Reconciliation Australia and published online during NAIDOC Week.

The ACIC celebrated NAIDOC Week with an online event for all staff, hosted by our Indigenous

Champion. The event commenced with a Welcome to Country from Ngunnawal Elder Wally Bell, followed by presentations and a yarning session with special guests Leila Smith, CEO of the Aurora Education Foundation, and Kristopher Wilson, lecturer and researcher in cybercrime at University of Technology Sydney.

During 2020–21, the ACIC:

- ▶ hosted a 2-day Indigenous Employee Forum, which focused on building employee connections and leadership skills through an Aboriginal and Torres Strait Islander lens—the forum was delivered by a 100 per cent Aboriginal owned and run, Supply Nation-certified organisation and attended by Aboriginal and Torres Strait Islander staff from across the National Intelligence Community
- ▶ continued to participate in Indigenous employment programs, including the Jawun secondment program and entry-level programs such as the Australian Public Service Commission Indigenous Graduate Pathway program
- ▶ held quarterly Reconciliation Action Plan Working Group meetings to assist in the implementation of the plan
- ▶ celebrated National Reconciliation Week by screening the short film *The Message—Stories from the Shore* across our state offices and collaborating with other APS agencies and their Indigenous employee network events
- ▶ commissioned a new Reconciliation Action Plan artwork and continued to develop the new Reconciliation Action Plan for the agency.

Of our staff, 2.35 per cent have self-identified as being from an Indigenous background. The ACIC continues to look at ways to increase development and leadership opportunities for Indigenous staff, including career development. A breakdown of Indigenous staffing by classification level is provided in Table 3.11.

**Table 3.11: Indigenous staffing by classification at 30 June 2021**

Classification	Indigenous employees
SES 1–3	–
EL 2	–
EL 1	2
APS 6	3
APS 5	2
APS 4	11
APS 1–3	–
<b>Total</b>	<b>18</b>

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

## Disability

The ACIC is committed to changing attitudes and removing barriers by providing an inclusive workplace for employees and potential employees with disability. The ACIC launched the *Disability Action Plan 2021–24* in line with the *Australian Public Service Disability Employment Strategy 2020–25*.

During 2020–21, the ACIC:

- ▶ hosted events to celebrate the International Day of People with Disability across state and territory offices, with a focus on the role of carers and better ways to support job seekers with disability in the workplace
- ▶ hosted an online disability awareness training session for all staff, opened by the ACIC's Disability Deputy Champion
- ▶ renewed membership of the Australian Network on Disability and partnerships with JobAccess and the National Disability Recruitment Coordinator.

Of our staff, 2.1 per cent have identified as having disability.

Disability reporting is included in the Australian Public Service Commission State of the Service reports and the APS Statistical Bulletin. These reports are available at <[www.apsc.gov.au](http://www.apsc.gov.au)>.

## Remuneration and benefits

During 2020–21, our *ACIC Enterprise Agreement 2016–19* covered all APS employees (not including substantive SES officers or examiners). The agreement commenced on 30 December 2016 with a nominal expiry date of 30 December 2019. It provides a range of flexible working arrangements and aligns key ACIC conditions with APS-wide conditions.

On 8 November 2019, the CEO signed a determination under section 24(1) of the *Public Service Act 1999* to extend the terms and conditions of the *ACIC Enterprise Agreement 2016–19* and increase pay rates by 2 per cent on 30 December each year for 3 years. This was subject to the determination signed on 14 April 2020 by Assistant Minister to the Prime Minister and Cabinet the Hon. Ben Morton MP, under section 24(3) of the *Public Service Act*, to pause general wage increases and salary-related allowances in Commonwealth agencies for 6 months. The second pay rise was paid on 30 June 2021, with the third pay rise due on 30 December 2021.

Non-salary benefits available under the enterprise agreement include flexible working arrangements for staff at APS levels 1–6, time-off-in-lieu arrangements for Executive Level staff, tertiary studies assistance and our comprehensive Performance Management Cycle. We also offer free influenza vaccinations and an employee assistance program that provides counselling and support for staff and their family members.

Details of salary ranges available under the enterprise agreement are provided in Appendix C, Table C.14. Details of the remuneration of key management personnel, senior executives and other highly paid staff are provided in Appendix D, tables D.1 to D.5.

Incremental advancement is available to eligible staff as part of our Performance Management Cycle. The ACIC does not have a system of performance payments.

## Staff retention and turnover

In 2020–21, a total of 109 staff left the ACIC. Reasons for leaving included moving to another APS agency, retirement, redundancy and the completion of non-ongoing contracts, as shown in Table 3.12.

**Table 3.12:** Australian Public Service employees and statutory office holders turnover

Reason for termination	Number
Completion of non-ongoing contract	1
Early termination of non-ongoing contract	–
External promotion	–
External transfer	37
Invalidity retirement	1
Resignation	57
Retired after age 55	8
Involuntary redundancy	–
Voluntary redundancy	5

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

In 2020–21, our average retention rate was 84.2 per cent.

Our staff retention strategies include:

- ▶ performance recognition and development
- ▶ performance feedback and support
- ▶ learning and development opportunities
- ▶ leadership development opportunities
- ▶ mentoring and coaching
- ▶ opportunities for mobility, including higher duties
- ▶ flexible working arrangements
- ▶ ongoing evaluation of feedback provided through staff surveys and entry/exit surveys.

## Training and development

The ACIC fosters an environment of continuous learning and improvement for all staff, to support their personal and professional development. We provide opportunities for staff to develop core and specialist skills, aligned to their classification and role, while positioning them and the agency for the future.

## Learning approach

Recognising that learning can happen at any time, the ACIC has adopted a continuous learning model that assists staff to recognise and make the most of a variety of formal and informal learning opportunities.

Our continuous learning model engenders a culture of continuous learning, evaluation and improvement. While recognising the importance of formal training, it ensures that learning is also integrated into our broader workforce strategies. This includes promoting participation in communities of practice, working groups and collaboration across teams, branches and divisions; providing mobility within the agency; and acknowledging the value of informal learning opportunities.

## Capability framework

In June 2021, we released our capability framework, providing a strong foundation to understand, build and maintain key workforce capabilities now and into the future.

The framework aligns with the APS Integrated Leadership System and respective work level standards for APS and EL roles, and provides a basis for specialist and technical skills development at each classification level.

It comprises 6 groups of core capabilities that staff require in their roles, with 5 core capability groups representing the requirements for working in the APS, and the sixth representing the specific professional expertise required to work in the ACIC.

The framework assists staff and managers to understand their strengths as well as areas for development, and guides staff in identifying learning opportunities.

## Core skills

The ACIC focuses on the development of core knowledge and skills which represent the intrinsic capabilities required of all ACIC employees. Topics covered in our core skills programs include:

- ▶ ethics and values
- ▶ critical thinking
- ▶ writing and communication skills
- ▶ working effectively in teams
- ▶ conflict resolution
- ▶ human resources
- ▶ work health and safety
- ▶ financial management, delegations and procurement
- ▶ change and project management.

## Intelligence and operational training

We provide extensive training to ensure that our operational workforce has the knowledge and skills to effectively tackle the complex nature of transnational serious and organised crime, and adapt to the ever-changing criminal environment.

The ACIC delivers a range of training opportunities for new and existing employees as part of the Core Criminal Intelligence Training Pathway. The pathway aims to develop intelligence professionals in both intelligence collection and analytic roles, ensuring a consistent, best practice approach to criminal intelligence.

In addition to this, our intelligence and operational training focuses on developing our niche intelligence collection and analysis capabilities. Examples include training related to our coercive powers, covert intelligence collection, critical thinking, intelligence analysis, writing assessments, investigations, intelligence systems and databases, and strategic and financial intelligence.

Wherever possible, we collaborate on training with partner agencies, enhancing interoperability and developing consistency of practice. Through these partnerships, our training programs award vocational qualifications and, where possible, are articulated to tertiary qualifications.

The National Advanced Strategic Intelligence Course commenced in November 2020 as a joint initiative between the ACIC and Charles Sturt University. The course is open to staff from all state, territory and Commonwealth law enforcement agencies, as well as staff from the Department of Defence. It provides participants with advanced practical knowledge of strategic intelligence, including research methods, intelligence to inform policy, information and data collection, strategic analysis and writing for influence. The course also provides subject credit for and fully articulates with the Master of Intelligence Analysis offered by Charles Sturt University.

## Leadership development

Developing our future leaders is integral to positioning the ACIC for the future. We deliver 2 formal leadership programs aimed at our current leaders, while supporting the development of our emerging leaders. The feature on 'Building leadership capabilities' on page 97 provides more details of the scope and uptake of our leadership programs.

We also provide cross-agency learning opportunities—in collaboration with the APS, the Australian Institute of Police Management, the National Security College at the Australian National University and the Women in Law Enforcement Strategy mentoring program—to further develop our leaders in multiagency environments.

## Evaluation and continuous improvement

Evaluation is a critical tool to ensure that learning meets the needs of the agency. The ACIC evaluates all internal and external learning programs, ensuring that internal programs are aligned to the requirements of the workplace, and that the external programs represent value for money. Our approach to evaluation assesses whether the learning opportunity achieved its outcome, and identifies the impact of learning in the workplace and areas for further improvement.



## Employee culture and engagement

We are committed to a workplace culture that strives for excellence, enables personal and professional growth, values diversity, models respectful behaviour, and achieves agency unity through collaboration and inclusiveness.

In 2020–21, we engaged with staff to better understand their views and increase the level of employee engagement. Engagement opportunities included employee entry/exit surveys and the 2020 APS Employee Census.

ACIC employees' responses to the 2020 APS Employee Census indicated that:

- ▶ 81 per cent of staff are satisfied with the stability and security of their job
- ▶ 88 per cent of staff strongly believe in the purpose and objectives of our agency and are committed to our agency goals
- ▶ 94 per cent of staff are happy to go the 'extra mile' at work when required
- ▶ 63 per cent of staff believe that their work group has used the COVID-19 crisis to improve the way they work
- ▶ 65 per cent of staff believe our agency is taking actions to maintain ways of working implemented during the COVID-19 crisis.

## Work health and safety

We are committed to preventing injuries and exposure to hazards at work by taking all reasonably practicable steps to protect the health and safety of all workers through identifying, eliminating and minimising hazards in the workplace. Appendix B of this report details our 2020–21 work health and safety arrangements, initiatives and outcomes.

# Resource management

The ACIC uses and manages resources in line with the principles of the Commonwealth Resource Management Framework, which is underpinned by the PGPA Act and related regulations, directions and guidance.

## Asset management

In working towards our strategic purpose, the ACIC holds a range of assets, including leased office space; property, plant and equipment; intangible assets (software); and leasehold improvements at its various office locations.

A full nationwide stocktake of assets in the 'Property, plant and equipment' and 'Portable and attractive' classes was undertaken in 2020–21, with over 99 per cent of our assets by value accounted for.

Under our asset management policy a full valuation of tangible property held is to be undertaken once every three years. A full valuation was undertaken in 2020–21. Independent professional valuers were engaged to undertake a full valuation of tangible assets across the country. While there was no material change in the value of assets held, asset records were aligned with the new valuation amounts.

An internal review is undertaken of the ACIC's intangible assets to assess whether there is any impairment to intangible assets and to ensure that they are still in use, contribute productive benefit to the ACIC, and have a reasonable life expectancy. There was no impairment and no material change in the expected useful life of intangible assets.

The ACIC's office space in each capital city is held under lease and, as required under Australian Accounting Standards Board accounting standard AASB 16, the agency accounts for the leased office space as leased right-of-use assets.

Our asset mix at the end of 2020–21 comprised:

- ▶ \$50.746 million of leased office space
- ▶ \$48.329 million of intangible assets (software)
- ▶ \$40.089 million of property, plant and equipment
- ▶ \$12.942 million of leasehold improvements.

## Property

We have ACIC offices in each capital city to support the delivery of our national service. Premises in Hobart and Darwin are provided by those jurisdictions' police forces and are not subject to formal lease arrangements. All other offices are under lease until at least 2022; most leases are due to expire from 2024 onward. The Victorian State Office relocated to new premises in December 2020.

On 1 February 2021, the ACIC transitioned to outsourced property provider Ventia, under the Australian Government's whole-of-government property services arrangements. Ventia supports the ACIC property team through the provision of core leasing and facilities management services.

We monitor our property performance nationally with a view to minimising our property footprint and taking advantage of efficiency initiatives, including opportunities to share facilities. Overall, the agency has a fit-out density of 13.0 square metres per work point.

## Purchasing

Our approach to procuring property and services, including consultancies, is consistent with Australian Government policy and legislation covering procurement. The Commonwealth Procurement Rules are applied to activities through the Accountable Authority Instructions and supporting operational policies and procedures, which are reviewed for consistency with the Commonwealth Procurement Framework.

The procurement framework reflects the core principle governing Australian Government procurement—value for money. Our policies and procedures also focus on:

- ▶ competitive, non-discriminatory procurement processes
- ▶ efficient, effective, economical and ethical use of resources
- ▶ accountability and transparency.

During 2020–21, we continued to participate in whole-of-government, coordinated procurement initiatives and used clustering and piggybacking opportunities to lower tendering costs and provide savings through economies of scale.

## Procurement initiatives to support small business

The ACIC supports small business participation in the Australian Government procurement market. Small and medium-sized enterprise (SME) and small enterprise participation statistics are available on the Department of Finance’s website at <[www.finance.gov.au/government/procurement/statistics-australian-government-procurement-contracts](http://www.finance.gov.au/government/procurement/statistics-australian-government-procurement-contracts)>.

We support the use of SMEs through various means, including the use of template contracts for both low-risk and higher risk procurements, and compliance with the government’s Supplier Pay On-Time or Pay Interest Policy.

The ACIC recognises the importance of ensuring that small businesses are paid on time. The results of the survey of Australian Government payments to small business are available on the Treasury’s website at <[www.treasury.gov.au](http://www.treasury.gov.au)>.

## Indigenous Procurement Policy

In line with the Australian Government’s Indigenous Procurement Policy, we are committed to growing our engagement with Indigenous businesses.

In 2020–21, the ACIC had 17 contracts in place with majority Indigenous-owned businesses, collectively valued at \$2,314,906. This contributed to the Home Affairs portfolio meeting its annual targets for purchasing from Indigenous enterprises set by the National Indigenous Australians Agency for the financial year.

## Contracts

In 2020–21, annual report requirements were added under sections 17AG(7) and (7A) and sections 17AGA(2) – (3) of the *Public Governance, Performance and Accountability Rule 2014*. The new requirements include disclosure of contract expenditure for consulting and non-consulting contracts, and additional information on the organisations that received amounts of that expenditure.

### Consultancy contracts

During 2020–21, 5 new consultancy contracts were entered into involving total actual expenditure of \$0.346 million. In addition, 4 ongoing consultancy contracts were active, involving total actual expenditure of \$0.239 million during the period.

Tables 3.13 and 3.14 give details of our consultancy contracts in 2020–21.

**Table 3.13:** Expenditure on reportable consultancy contracts

Measure	Contracts	Expenditure \$ <sup>a</sup>
New contracts entered	5	345,540
Ongoing contracts entered into during a previous reporting period	4	238,710
<b>Total</b>	<b>9</b>	<b>584,250</b>

a. Includes GST.

**Table 3.14:** Organisations receiving a share of reportable consultancy contract expenditure

Organisation	Australian Business Number	Expenditure \$ <sup>a</sup>	Share of expenditure %
KPMG	51 194 660 183	256,128	44
Price Waterhouse Cooper Consulting (Australia) Pty Ltd	20 607 773 295	197,966	34
EY Digital Pty Limited	43 096 505 805	63,998	11
Elizabeth Montano <sup>b</sup>	68 758 946 781	25,414	4
Tenth Intelligence	78 234 967 745	20,696	4

a. Includes GST.

b. Elizabeth Montano performed two separate roles for the ACIC, serving as both an independent member on the Audit Committee and an independent member on the NCIS Steering Committee.

Consultants are typically engaged to investigate or diagnose a defined issue or problem, carry out defined reviews or evaluations, or provide independent advice, information or creative solutions to assist in the ACIC's decision-making. We engage consultants when we require specialist expertise areas including but not limited to policy design, financial viability, and IT strategic planning, or independent evaluations of the ACIC's outcomes.

We make decisions to engage consultants in accordance with the PGPA Act and related regulations, including the Commonwealth Procurement Rules and relevant internal policies. Prior to engaging consultants, we take into account the skills and resources required for the task, the skills available internally, and the cost-effectiveness of engaging external expertise. We select consultants through panel arrangements or by making an open approach to market.

Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable contracts and consultancies is available on the AusTender website at <[www.tenders.gov.au](http://www.tenders.gov.au)>.

## Non-consultancy contracts

During 2020–21, 322 new non-consultancy contracts were entered into involving total actual expenditure of \$36.798 million. In addition, 245 ongoing non-consultancy contracts were active, involving total actual expenditure of \$64.441 million during the period.

Tables 3.15 and 3.16 give details of our non-consultancy contracts in 2020–21.

**Table 3.15:** Expenditure on reportable non-consultancy contracts

Measure	Contracts	Expenditure \$ <sup>a</sup>
New contracts entered	322	36,797,963
Ongoing contracts entered into during a previous reporting period	245	64,441,468
<b>Total</b>	<b>567</b>	<b>101,239,431</b>

a. Includes GST.

**Table 3.16:** Organisations receiving a share of reportable non-consultancy contract expenditure

Organisation	Australian Business Number	Expenditure \$ <sup>a</sup>	Share of expenditure %
IDEMIA Australasia Pty Ltd	43 003 099 812	15,413,004	15
Datacom Systems (AU) Pty Ltd	39 135 427 075	8,847,653	9
Ventia Property Pty Ltd	16 618 028 676	6,750,478	7
Price Waterhouse Cooper Consulting (Australia) Pty Ltd	20 607 773 295	4,013,304	4
Talent International (ACT) Pty Ltd	92 121 819 305	3,260,839	3

a. Includes GST.

Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender website at <[www.tenders.gov.au](http://www.tenders.gov.au)>.

## Access clauses

During 2020–21, we did not enter into any contracts of \$100,000 or more that excluded provision for access by the Auditor-General.

## Exempt contracts

Contract details are exempt from being published on AusTender if those details would disclose exempt matters under the *Freedom of Information Act 1982*. No such contract details were excluded from being published on AusTender in 2020–21.

## Advertising and market research

Section 311A of the *Commonwealth Electoral Act 1918* requires us to provide details of amounts paid for advertising and market research in our annual report.

In 2020–21:

- ▶ The ACIC did not conduct any advertising campaigns or make any payments for polling, direct mail or campaign advertising.
- ▶ The ACIC did not make any payments related to non-campaign advertising that were higher than the reporting threshold of \$14,300.
- ▶ A total of \$8,938 (including GST) was paid to Andrews Group Pty Ltd to undertake work on the 2019–20 stakeholder survey.
- ▶ A total of \$38,636 (including GST) was paid to ThinkPlace Pty Ltd to undertake work on the 2020–21 stakeholder survey.

## Grants

The ACIC did not award grants during 2020–21.

## Ecologically sustainable development

The 5 principles of ecologically sustainable development identified in the *Environment Protection and Biodiversity Conservation Act 1999* are integration, precautionary, intergenerational, biodiversity and valuation.

We are aware of these principles in our daily operations. We strive to operate in an environmentally responsible manner, including by making efficient use of resources and managing waste effectively.

We are committed to reducing our impact on the environment through ongoing minimisation strategies and new technologies and resources, including:

- ▶ using electronic document management systems and web-based information-sharing tools that reduce or eliminate the need to print and retain paper copies of documents
- ▶ using video and telephone conferencing where possible to reduce the need for local and interstate travel
- ▶ reviewing leased buildings and encouraging owners to improve their buildings' energy performance
- ▶ ensuring that new leases entered into comply with the Australian Government's energy policy
- ▶ procuring energy-efficient equipment and lighting solutions, including smart lighting that activates only when areas are occupied
- ▶ providing recycling facilities in breakout areas.

The integration of energy efficiency practices into our organisation and planning allows us to reduce our energy costs and our consumption of valuable resources.



### BUILDING LEADERSHIP CAPABILITIES

“ The ACIC’s strong commitment to leadership development provides staff with support, resources, engagement and encouragement to achieve their goals.

The ACIC has a strong commitment to leadership development. We focus on building capability that aligns with our agency’s unique objectives yet remains consistent with leadership exercised across the Australian Public Service (APS) and the National Intelligence Community.

Leadership is a vital skill for employees in any role, not just managers. In February 2020, we joined with a registered training organisation to develop 2 leadership training programs tailored to our agency. Our aims were to teach employees how to become more successful leaders, improve communication, make better decisions, manage conflict and lead others through times of change.

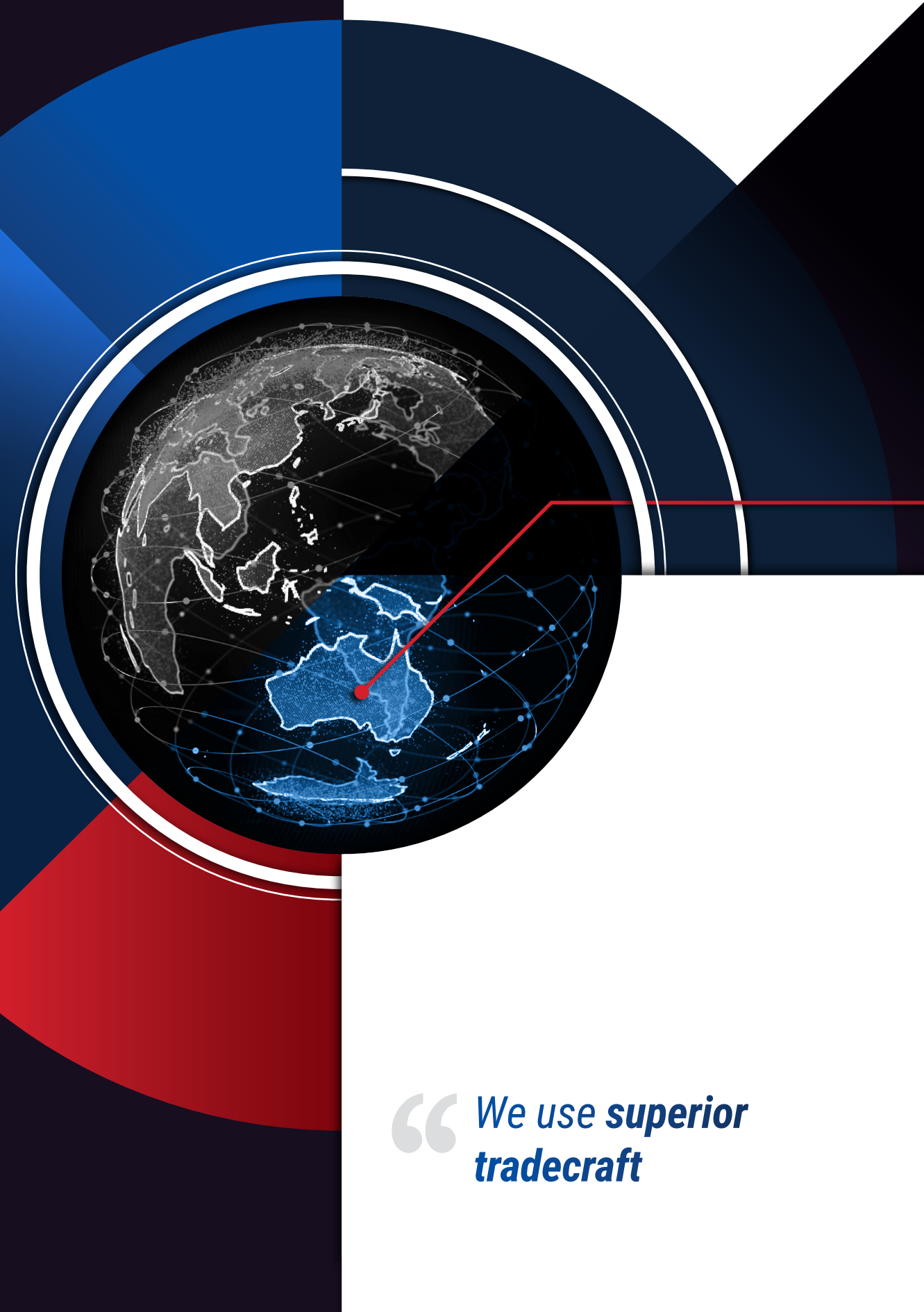
The results were the ACIC Emerging Leaders Program and the ACIC Leadership Development Program. These are 12-month courses that align with our agency objectives, capability development strategy and Core Criminal Intelligence Training Pathway. Both courses offer a leadership career pathway for current and emerging leaders.

The ACIC Emerging Leaders Program is designed for staff at APS levels 4–6, to advance their knowledge of contemporary public service, their ability to perform at

a high level in a government context, and their people management and engagement techniques. At 30 June 2021, 17 participants had completed the program and a further 17 were undertaking it. Each participant receives the nationally recognised qualification Diploma of Government (PSP50116) upon successful completion of the program.

The ACIC Leadership Development Program targets employees at Executive Level levels 1–2 who are already managing teams and supervising staff, and aims to further develop their leadership and management skills. It covers leading people, key management and leadership skills, building teams, planning and managing performance, managing and resolving conflict, building strategic relationships, and influencing in government contexts. At 30 June 2021, 16 participants had completed the program and a further 16 were undertaking it. Upon successful completion of the program, each participant receives the nationally recognised qualification Diploma of Leadership and Management (BSB51918).

These programs provide the support, resources, encouragement and engagement that ACIC employees need to achieve their goals.



“ We use *superior  
tradecraft*



## Section 4

# Audited financial statements

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### *Our financial statements for 2020–21*

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## INDEPENDENT AUDITOR'S REPORT

### To the Minister for Home Affairs

#### Opinion

In my opinion, the financial statements of the Australian Criminal Intelligence Commission (the Entity) for the year ended 30 June 2021:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2021 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2021 and for the year then ended:

- Statement by the Accountable Authority and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; and
- Notes to the financial statements, comprising a summary of significant accounting policies and other explanatory information.

#### Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the Chief Executive Officer is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Reduced Disclosure Requirements and the rules made under the Act. The Chief Executive Officer is also responsible for such internal control as the Chief Executive Officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Chief Executive Officer is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Chief Executive Officer is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.

GPO Box 707, Canberra ACT 2601  
38 Sydney Avenue, Forrest ACT 2603  
Phone (02) 6203 7300

### Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Jodi George  
Senior Executive Director

Delegate of the Auditor-General

Canberra  
21 September 2021



AUSTRALIAN  
**CRIMINAL  
INTELLIGENCE  
COMMISSION**

#### **STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCIAL OFFICER**

In our opinion, the attached financial statements for the year ended 30 June 2021 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Australian Criminal Intelligence Commission will be able to pay its debts as and when they fall due.

Signed.....

A handwritten signature in black ink, appearing to be 'M. Phelan', written over a dotted line.

**Michael Phelan APM**  
Chief Executive Officer

21 September 2021

Signed.....

A handwritten signature in black ink, appearing to be 'Yvette Whittaker', written over a dotted line.

**Yvette Whittaker**  
Chief Financial Officer

21 September 2021

**STATEMENT OF COMPREHENSIVE INCOME***for the period ended 30 June 2021*

				Budget
	Notes	2021 \$'000	2020 \$'000	2021 \$'000
<b>NET COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits	1.1A	<b>90,882</b>	93,669	100,741
Suppliers	1.1B	<b>104,153</b>	114,499	121,910
Depreciation and amortisation	2.2A	<b>31,817</b>	26,439	30,900
Finance costs	1.1C	<b>624</b>	656	528
Write-down and impairment of property, plant and equipment	2.2A	<b>72</b>	1,274	—
Resources received free of charge	1.1D	<b>6,222</b>	2,739	—
<b>Total expenses</b>		<b>233,770</b>	239,276	254,079
<b>Own-source revenue</b>				
Revenue from contracts with customers	1.2A	<b>136,701</b>	138,022	113,541
Rental income	1.2B	<b>1,049</b>	—	—
Resources received free of charge	1.2C	<b>14,990</b>	2,739	2,250
<b>Total own-source revenue</b>		<b>152,740</b>	140,761	115,791
<b>Gains</b>				
Other gains	1.2E	<b>4,065</b>	—	—
<b>Total gains</b>		<b>4,065</b>	—	—
<b>Total own-source income</b>		<b>156,805</b>	140,761	115,791
<b>Net cost of services</b>		<b>(76,965)</b>	(98,515)	(138,288)
Revenue from Government—Departmental Appropriations	1.2D	<b>95,786</b>	103,841	98,672
<b>Surplus/(Deficit) attributable to the Australian Government</b>		<b>18,821</b>	5,326	(39,616)
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items not subject to subsequent reclassification to net cost of services</b>				
Changes in asset revaluation reserves—leasehold improvements and property, plant and equipment		<b>1,535</b>	—	—
Changes in asset revaluation reserves—provision for restoration obligations		<b>(51)</b>	7	—
<b>Total other comprehensive income</b>		<b>1,484</b>	7	—
<b>Total comprehensive income/(loss) attributable to the Australian Government</b>		<b>20,305</b>	<b>5,333</b>	(39,616)

The above statement should be read in conjunction with the accompanying notes.  
 Budget to actual variance commentary: see Note 7 for major variance explanations.

## STATEMENT OF FINANCIAL POSITION

as at 30 June 2021

		2021	2020	Budget 2021
	Notes	\$'000	\$'000	\$'000
<b>ASSETS</b>				
<b>Financial assets</b>				
Cash and cash equivalents	2.1A	131,910	124,915	84,285
Trade and other receivables	2.1B	66,481	77,440	76,952
Other financial assets		–	–	523
<b>Total financial assets</b>		<b>198,391</b>	<b>202,355</b>	<b>161,760</b>
<b>Non-financial assets</b>				
Buildings	2.2A	50,746	43,681	45,866
Leasehold improvements	2.2A	12,943	14,609	–
Property, plant and equipment	2.2A	40,088	42,096	40,401
Intangibles	2.2A	48,329	37,302	52,874
Prepayments		10,528	9,448	9,448
<b>Total non-financial assets</b>		<b>162,634</b>	<b>147,136</b>	<b>148,589</b>
<b>Total assets</b>		<b>361,025</b>	<b>349,491</b>	<b>310,349</b>
<b>LIABILITIES</b>				
<b>Payables</b>				
Suppliers	2.3A	15,254	21,922	21,922
Other payables	2.3B	4,501	7,378	7,378
<b>Total payables</b>		<b>19,755</b>	<b>29,300</b>	<b>29,300</b>
<b>Interest bearing liabilities</b>				
Leases	2.4A	62,493	55,956	45,609
<b>Total interest bearing liabilities</b>		<b>62,493</b>	<b>55,956</b>	<b>45,609</b>
<b>Provisions</b>				
Employee provisions	4.1A	30,659	30,603	30,603
Other provisions	2.5A	2,305	17,404	17,439
<b>Total provisions</b>		<b>32,964</b>	<b>48,007</b>	<b>48,042</b>
<b>Total liabilities</b>		<b>115,212</b>	<b>133,263</b>	<b>122,951</b>
<b>Net assets</b>		<b>245,813</b>	<b>216,228</b>	<b>187,398</b>
<b>EQUITY</b>				
Contributed equity		79,330	70,050	80,836
Reserves		18,449	16,965	16,965
Retained surplus		148,034	129,213	89,597
<b>Total equity</b>		<b>245,813</b>	<b>216,228</b>	<b>187,398</b>

The above statement should be read in conjunction with the accompanying notes.  
Budget to actual variance commentary: see Note 7 for major variance explanations.

**STATEMENT OF CHANGES IN EQUITY**  
for the period ended 30 June 2021

	Retained earnings			Asset revaluation reserve			Contributed equity/capital			Total equity		
	2021	2020	Budget 2021	2021	2020	Budget 2021	2021	2020	Budget 2021	2021	2020	Budget 2021
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Balance carried forward from previous period	129,213	116,211	129,213	16,965	16,411	16,965	70,050	216,228	191,302	216,228		
Adjustment on initial application of AASB 16—leases	—	7,676	—	—	547	—	—	—	—	8,223	—	—
<b>Adjusted opening balance</b>	<b>129,213</b>	<b>123,887</b>	<b>129,213</b>	<b>16,965</b>	<b>16,958</b>	<b>16,965</b>	<b>70,050</b>	<b>216,228</b>	<b>199,525</b>	<b>216,228</b>		
<b>Comprehensive income</b>												
Surplus/(Deficit) for the period	18,821	5,326	(39,616)	—	—	—	—	18,821	5,326	(39,616)		
Other comprehensive income	—	—	—	1,484	7	—	—	1,484	7	—		
<b>Total comprehensive income</b>	<b>18,821</b>	<b>5,326</b>	<b>(39,616)</b>	<b>1,484</b>	<b>7</b>	<b>—</b>	<b>—</b>	<b>20,305</b>	<b>5,333</b>	<b>(39,616)</b>		
<b>Transactions with owners</b>												
<b>Contributions by owners</b>												
Equity injection—Appropriations <sup>1</sup>	—	—	—	—	—	—	6,681	8,758	8,187	6,681	8,758	8,187
Departmental capital budget <sup>1</sup>	—	—	—	—	—	—	2,599	2,612	2,599	2,599	2,612	2,599
<b>Total transactions with owners</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>9,280</b>	<b>11,370</b>	<b>10,786</b>	<b>9,280</b>	<b>11,370</b>	<b>10,786</b>
<b>Closing balance as at 30 June</b>	<b>148,034</b>	<b>129,213</b>	<b>89,597</b>	<b>18,449</b>	<b>16,965</b>	<b>16,965</b>	<b>79,330</b>	<b>245,813</b>	<b>216,228</b>	<b>187,398</b>		

1. Amounts appropriated which are designated as 'equity injections' and 'Departmental capital budgets' are recognised directly in transactions with owners in that year.

The above statement should be read in conjunction with the accompanying notes.  
Budget to actual variance commentary: see Note 7 for major variance explanations.

## CASH FLOW STATEMENT

for the period ended 30 June 2021

		2021	2020	Budget
	Notes	\$'000	\$'000	2021 \$'000
<b>OPERATING ACTIVITIES</b>				
<b>Cash received</b>				
Appropriations		117,668	98,939	98,637
Revenue from contracts with customers		125,751	138,349	113,541
Other		4,727	66	–
Net GST received		10,286	12,398	–
<b>Total cash received</b>		<b>258,432</b>	<b>249,752</b>	<b>212,178</b>
<b>Cash used</b>				
Employees		90,500	91,974	100,741
Suppliers		128,705	121,312	119,625
Interest payments on lease liabilities	1.1C	618	637	528
Section 74 receipts transferred to Official Public Account		1,921	4,999	–
Other		761	735	–
<b>Total cash used</b>		<b>222,505</b>	<b>219,657</b>	<b>220,894</b>
<b>Net cash from operating activities</b>		<b>35,927</b>	<b>30,095</b>	<b>(8,716)</b>
<b>INVESTING ACTIVITIES</b>				
<b>Cash received</b>				
Proceeds from sales of property, plant and equipment		23	–	–
<b>Total cash received</b>		<b>23</b>	<b>–</b>	<b>–</b>
<b>Cash used</b>				
Purchase of property, plant and equipment and intangibles	2.2A	26,249	36,153	32,353
<b>Total cash used</b>		<b>26,249</b>	<b>36,153</b>	<b>32,353</b>
<b>Net cash used by investing activities</b>		<b>(26,226)</b>	<b>(36,153)</b>	<b>(32,353)</b>
<b>FINANCING ACTIVITIES</b>				
<b>Cash received</b>				
Contributed equity		9,280	11,370	10,786
<b>Total cash received</b>		<b>9,280</b>	<b>11,370</b>	<b>10,786</b>
<b>Cash used</b>				
Principal payments of lease liabilities		11,986	10,700	10,347
<b>Total cash used</b>		<b>11,986</b>	<b>10,700</b>	<b>10,347</b>
<b>Net cash from/(used by) financing activities</b>		<b>(2,706)</b>	<b>670</b>	<b>439</b>
<b>Net increase/(decrease) in cash held</b>		<b>6,995</b>	<b>(5,388)</b>	<b>(40,630)</b>
Cash and cash equivalents at the beginning of the reporting period		124,915	130,303	124,915
<b>Cash and cash equivalents at the end of the reporting period</b>	2.1A	<b>131,910</b>	<b>124,915</b>	<b>84,285</b>

The above statement should be read in conjunction with the accompanying notes.  
Budget to actual variance commentary: see Note 7 for major variance explanations.



## Overview

### *Objectives of the Australian Criminal Intelligence Commission (ACIC)*

To make Australia safer through improved national ability to discover, understand and respond to current and emerging crime threats, including the ability to connect police and law enforcement to essential criminal intelligence, policing knowledge and information through collaborative national information systems and services.

### *Basis of preparation of the financial statements*

The financial statements are general purpose financial statements and are required by section 42 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

The financial statements have been prepared in accordance with:

- a. Financial Reporting Rule 2015 (FRR); and
- b. Australian Accounting Standards and Interpretations—Reduced Disclosure Requirements issued by the Australian Accounting Standards Board that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial statements are presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified.

### *Modification to applicability of the PGPA for designated activities under PGPA Act section 105D*

The Minister for Finance and the Minister for Home Affairs made determinations under PGPA Act section 105D, which allows modification to specified aspects of the PGPA Act in relation to designated intelligence or security activities. The annual financial statements have not been modified as a result of the changes to the determination.

### *New accounting standards*

All new standards that were issued prior to the sign-off date and are applicable to the current reporting period did not have a material effect on ACIC's financial statements.

### *Accounting judgements and estimates*

The preparation of the ACIC's financial statements required management to make judgements, estimates and assumptions that affect the reported amounts in the financial statements. Management continually evaluates its judgements and estimates in relation to assets, liabilities, revenue and expenses. Management bases its judgements, estimates and assumptions on experience and expert advice, including expectations of future events based on historical information, which management believes to be reasonable under the circumstances. The resulting accounting judgements and estimates will seldom equal the related actual results. The judgements, estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are discussed below.

### *Provision for impairment of debtors*

The provision for impairment of debtors requires a degree of estimation and judgement. The level of the provision is assessed by considering type of services provided, the ageing of debtors and the customer credit history that affects the level of impairment.

### *Estimation of useful lives and fair value of assets*

The ACIC determines the estimated useful lives and related depreciation and amortisation charges for its property, plant and equipment and intangible assets. The useful lives could change significantly as a result of technical innovations or other events. The depreciation and amortisation charge will increase where the useful lives are less than previously estimated lives, or technically obsolete or specialised assets that have been abandoned or sold will be written off or written down.

The fair value of ACIC's leasehold improvements and property, plant and equipment has been taken to be the market value or depreciated replacement costs as determined by an independent valuer. In some instances, ACIC's leasehold improvements are purpose-built and some specialised property, plant and equipment may in fact realise more or less in the market.

### *Employee benefits provision*

The liability for employee benefits expected to be settled more than 12 months from the reporting date are recognised and measured at the present value of the estimated future cash flows to be made in respect of all employees at the reporting date. In determining the present value of the liability, through the short-hand method, assumptions are based on estimates of attrition rates, pattern of leave claims made, future salary movements and discount rates.

### *Restoration obligations*

A provision has been made for the present value of anticipated costs for future restoration of leased premises. The provision includes future cost estimates associated with vacating of premises. The calculation of this provision requires assumptions such as the exit date and cost estimates. The provision recognised is periodically reviewed and updated based on the facts and circumstances available at the time. Changes to the estimated future costs are recognised in the statement of financial position by adjusting the provision. Any adjustments to the provisions are recognised in profit or loss.

No other accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next reporting period.

### *Taxation*

The ACIC is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- ▶ where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- ▶ for receivables and payables.

#### *Contingent assets and liabilities*

The ACIC did not have any quantifiable contingent assets or liabilities to report for the financial year ended 30 June 2021. As at 30 June 2021, the ACIC had a number of legal matters pending that may eventuate in judgements or outcomes that could require monetary payments being made to or from the ACIC. However, it was not possible to quantify the amounts of any receipts or payments that may eventuate in relation to these matters. (2020: nil).

#### *Events after the reporting period*

The ACIC did not have any events after 30 June 2021 to report in the 2020–21 financial statements.

# Notes to the financial statements

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**1. Financial performance****Note 1.1: Expenses**

	2021	2020
	\$'000	\$'000
<b><u>Note 1.1A: Employee benefits</u></b>		
Wages and salaries	66,349	66,566
Superannuation		
Defined contribution plans	8,480	8,268
Defined benefit plans	4,390	4,897
Leave and other entitlements	10,911	13,053
Separation and redundancies	752	885
<b>Total employee benefits</b>	<b>90,882</b>	<b>93,669</b>

**Accounting Policy**

Accounting policies for employee related expenses: refer Note 4.1 employee provisions.

**Note 1.1B: Suppliers****Goods and services**

IT support and maintenance	41,801	40,845
Consultants and contractors	24,894	27,537
Jurisdiction fees and payments	13,361	11,868
Property and security expenses	5,185	5,298
Operational expenses	3,996	5,469
Communication	3,956	4,450
Seconded placements reimbursed to state, territory and Commonwealth agencies	3,114	4,480
Travel	2,350	4,310
Staff development and training	1,504	2,659
Legal expenses	1,326	5,058
Office expenses	886	1,015
Other	838	770
<b>Total goods and services</b>	<b>103,211</b>	<b>113,759</b>

**Other suppliers**

Short-term leases <sup>1</sup>	207	318
Workers compensation expenses	735	422
<b>Total other suppliers</b>	<b>942</b>	<b>740</b>
<b>Total suppliers</b>	<b>104,153</b>	<b>114,499</b>

1. Short-term leases includes leases with less than 12 months of lease term or where the underlying asset under lease costs \$10,000 or less.

**Accounting Policy*****Short-term leases and leases of low-value assets***

The ACIC has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and leases of low-value assets (less than \$10,000). The ACIC recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

### Note 1.1: Expenses (continued)

	2021	2020
	\$'000	\$'000

#### **Note 1.1C: Finance costs**

Interest on lease liabilities <sup>2</sup>	618	637
Unwinding of discount on provision for restoration obligations	6	19
<b>Total finance costs</b>	<b>624</b>	<b>656</b>

2. Interest on lease liabilities related to leased commercial properties, data centres and motor vehicles.

#### **Note 1.1D: Resources received free of charge**

Resources received free of charge—NCIS development operating costs	3,408	—
Seconded	2,654	2,584
ANAO audit fee	160	155
<b>Total secondees and services provided by other agencies</b>	<b>6,222</b>	<b>2,739</b>

### Note 1.2: Own-source revenue

	2021	2020
	\$'000	\$'000

#### **Note 1.2A: Revenue from contracts with customers**

Revenue—special account	119,055	112,572
Revenue—proceeds of crime and memoranda of understanding	16,962	25,384
Revenue—other	684	66
<b>Total revenue from contracts with customers</b>	<b>136,701</b>	<b>138,022</b>

#### **Accounting Policy**

##### *Revenue from contracts with customers*

Revenue is recognised when the customer obtains control of the services provided. ACIC generates revenue from the National Police Checking Service (NPCS) and National Automated Fingerprint Identification System (NAFIS) through the *Proceeds of Crime Act 2002* (Crime Act) and Memoranda of Understanding (MoU) with Commonwealth agencies and other revenues from minor sources. The revenue recognition processes are discussed below.

- For NPCS and NAFIS search services provided by the ACIC, the performance obligation is satisfied at a point in time. The ACIC recognises revenue when it satisfies the performance obligations by transferring the promised goods or services.
- For goods or services provided by the ACIC for Crime Act funding, the performance obligation may be satisfied over time. The ACIC revenue recognition from this source is dependent upon the satisfactory submission of regular progress reports.
- For goods or services provided by the ACIC based on MoU, the performance obligation is satisfied over time. The ACIC revenue recognition from this source is based on the premise that the underlying goods or services will be transferred to the customers and not retained for own use.

**Note 1.2: Own-source revenue (continued)**

	2021	2020
	\$'000	\$'000

**Note 1.2B: Rental income**

Operating lease <sup>1</sup>	1,049	–
<b>Total rental income</b>	<b>1,049</b>	<b>–</b>

1. The ACIC, intermediate lessor, receives rental income through a subleasing arrangement. The ACIC is treating this arrangement as an operating lease as substantially all the risks and rewards of the head lease are not transferred to the lessee. Lease receivable on this lease is within one year, as the lease term is expiring in June 2022.

**Note 1.2C: Resources received free of charge**

Resources received free of charge—seconddees	2,654	2,584
Resources received free of charge—ANAO audit	160	155
Resources received free of charge—NCIS development capital costs <sup>2</sup>	8,768	–
Resources received free of charge—NCIS development operating costs <sup>2</sup>	3,408	–
<b>Total resources received free of charge</b>	<b>14,990</b>	<b>2,739</b>

2. During 2021 ACIC received resources free of charge in respect to NCIS development project from another government entity.

**Accounting Policy***Resources received free of charge*

Resources received free of charge are recognised as revenue when, and only when a fair value can be reliably measured and the services or transferred assets would have been purchased if they had not been provided free of charge. Use of those resources is recognised as appropriate as an expense or as an asset when received.

**Note 1.2D: Revenue from Government**

Appropriations		
Departmental appropriations	95,786	103,841
<b>Total revenue from Government</b>	<b>95,786</b>	<b>103,841</b>

**Accounting Policy***Revenue from Government*

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the ACIC gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned. Appropriations receivable are recognised at their nominal amounts.

**Note 1.2E: Other gains**

Gains from reversal of onerous lease <sup>1</sup>	4,042	–
Gains from sale of assets	23	–
<b>Total other gains</b>	<b>4,065</b>	<b>–</b>

1. An onerous lease provision recognised in 2019 on a surplus lease space. This space has now been sub leased and the provision reversed.

**Accounting Policy***Sale of assets*

Gains from disposal of assets are recognised, when control of the asset has passed to the buyer.

## 2. Financial position

### Note 2.1: Financial assets

	2021	2020
	\$'000	\$'000

#### **Note 2.1A: Cash and cash equivalents**

Special account cash held in Official Public Account	128,801	121,079
Cash at bank and on hand	3,109	3,836
<b>Total cash and cash equivalents</b>	<b>131,910</b>	<b>124,915</b>

#### **Note 2.1B: Trade and other receivables**

Trade receivables	20,649	11,593
Comcare receivable	20	18
Appropriations receivable	43,269	63,230
GST receivable	2,543	2,599
<b>Total trade and other receivables</b>	<b>66,481</b>	<b>77,440</b>

Credit terms for goods and services were within 30 days (2019–20: 30 days)

#### **Accounting Policy**

##### *Trade and other receivables*

Trade and other receivables are held for the purpose of collecting the contractual cash flows and are measured at amortised cost.



**Note 2.2: Non-financial assets****Note 2.2A: Reconciliation of the opening and closing balances of leasehold improvements, property, plant and equipment and intangible assets**

	Buildings \$'000	Leasehold improvements \$'000	Property, plant and equipment \$'000	Computer software <sup>3</sup> \$'000	Total \$'000
<b>As at 1 July 2020</b>					
Gross book value	53,473	20,965	54,164	92,340	220,942
Accumulated depreciation, amortisation and impairment	(9,792)	(6,356)	(12,068)	(55,038)	(83,254)
<b>Total as at 1 July 2020</b>	<b>43,681</b>	<b>14,609</b>	<b>42,096</b>	<b>37,302</b>	<b>137,688</b>
<b>Additions</b>					
Purchase <sup>1</sup>	–	711	7,907	17,631	26,249
Right-of-use assets	17,781	–	742	–	18,523
Revaluation recognised in other comprehensive income	–	898	637	–	1,535
Depreciation/amortisation	–	(3,275)	(8,341)	(6,594)	(18,210)
Depreciation on right-of-use assets	(10,716)	–	(2,891)	–	(13,607)
Write-down and impairment of property, plant and equipment <sup>2</sup>	–	–	(62)	(10)	(72)
<b>Total as at 30 June 2021</b>	<b>50,746</b>	<b>12,943</b>	<b>40,088</b>	<b>48,329</b>	<b>152,106</b>
<b>Total as at 30 June 2021 represented by</b>					
Gross book value	71,254	13,373	45,621	108,928	239,176
Accumulated depreciation, amortisation and impairment	(20,508)	(430)	(5,533)	(60,599)	(87,070)
<b>Total as at 30 June 2021</b>	<b>50,746</b>	<b>12,943</b>	<b>40,088</b>	<b>48,329</b>	<b>152,106</b>
<b>Carrying amount of right-of-use assets</b>	<b>50,746</b>	<b>–</b>	<b>8,981</b>	<b>–</b>	<b>59,727</b>

1. Purchase includes assets moved to appropriate classes during the asset capitalisation process.

2. This category includes write off of assets valued at \$0.072m arising out of annual stocktake.

3. Computer software as at 30 June 2021 includes internally developed intangibles of \$40.153m.

There are no leasehold improvements expected to be sold or written-off within the next 12 months.

The ACIC uses market approach and current replacement costs fair value measurement techniques to measure the fair value of property, plant & equipment and uses current replacement costs to measure the fair value of leasehold improvements.

## Note 2.2: Non-financial assets (continued)

### **Revaluations of non-financial assets**

All revaluations were conducted in accordance with the revaluation policy stated in note 2.2A. As at 30 June 2021, an independent valuer conducted the revaluation of property, plant and equipment and leasehold improvements.

A revaluation increment of \$0.898m for leasehold improvements (2020: Nil) and a revaluation increment of \$0.637m for property, plant and equipment (2020: Nil) were credited to the asset revaluation surplus by asset class and included in the equity section of the Statement of Financial Position. No increments/decrements were expensed in 2021 (2020: Nil).

### **Accounting Policy**

#### *Asset recognition*

Property, plant and equipment costing greater than \$5,000, leasehold improvements costing greater than \$25,000, intangible assets purchased externally costing greater than \$5,000 and intangible assets purchased and modified or developed internally costing greater than \$20,000 are capitalised. Items costing less than these thresholds are expensed in the year of acquisition.

#### *Leasehold improvements*

Leasehold improvements include office furniture and fit-out acquired as part of the lease of office accommodation. The depreciable amount of these assets is progressively allocated over the unexpired period of the lease or the useful lives of the improvements, whichever is the shorter.

#### *Lease Right of Use (ROU) assets*

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by ACIC as separate asset classes to corresponding leasehold improvements and property, plant and equipment assets that are owned outright, but presented in the same column as where the corresponding underlying assets would be presented if they were owned.

ROU assets continue to be measured at cost after initial recognition in the ACIC.

#### *Revaluations*

Following initial recognition at cost, property, plant and equipment and leasehold improvements (excluding ROU assets) are carried at fair value. Carrying values of the assets are reviewed every year for market changes and a full independent valuation is performed every third year. Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that is previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reverse a previous revaluation increment for that class. Upon revaluation, any accumulated depreciation is eliminated against the gross carrying amount of the asset.

#### *Depreciation*

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful life using the straight-line method of depreciation. Leasehold improvements are depreciated over the life of the lease term. Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are generally based on the following expected useful lives, unless an individual asset is assessed as having a different useful life.

	2021	2020
Leasehold improvements	Lease term	Lease term
Property, plant and equipment	3–10 years	3–10 years
Intangibles—Software purchased	3–5 years	3–5 years
Intangibles—Internally developed/configured	3–10 years	3–10 years
Right of use assets	Lease term	Lease term

#### *Intangibles*

Intangible assets comprise internally developed software and externally purchased software. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software licences with the renewable term ending beyond 30 June 2021 are treated as prepayments at the time of purchase and expensed over the term of the prepayment.

#### *Impairment*

All assets were assessed for impairment at 30 June 2021. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

#### *Derecognition*

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

### Note 2.3: Payables

	2021	2020
	\$'000	\$'000

#### **Note 2.3A: Suppliers**

Trade creditors and accruals	15,254	21,922
<b>Total suppliers</b>	<b>15,254</b>	<b>21,922</b>

Settlement term for suppliers were within 20 days (2019–20: 20 days).

#### **Note 2.3B: Other payables**

Wages and salaries	1,512	1,235
Superannuation	254	205
Unearned income	1,896	4,852
GST payable	40	11
Other	799	1,075
<b>Total other payables</b>	<b>4,501</b>	<b>7,378</b>

#### **Accounting Policy**

##### *Financial liabilities*

Supplier and other payables are classified as financial liabilities measured at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced). Supplier and other payables are derecognised on payment.

## Note 2.4: Interest bearing liabilities

	2021	2020
	\$'000	\$'000

### Note 2.4A: Leases

#### Lease liabilities

Buildings	53,392	44,752
Property, plant and equipment	9,101	11,204
<b>Total leases</b>	<b>62,493</b>	<b>55,956</b>

Total cash outflow for leases for the year ended 30 June 2021 was \$11.986m (2020: \$11.488m)

### Maturity analysis—contractual cash flows

Within 1 year	14,290	10,706
Between 1 to 5 years	37,453	37,228
More than 5 years	10,750	8,022
<b>Total leases</b>	<b>62,493</b>	<b>55,956</b>

The ACIC has floor space in a number of commercial buildings and data centres and motor vehicles under the leasing arrangements. The majority of the leases are on fixed yearly rental charge increments, however some are on variable increments.

### Accounting Policy

Since the inception of AASB 16 for all new contracts entered into, the ACIC considers whether the contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration'. Once it has been determined that a contract is, or contains a lease, the lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease, if that rate is readily determinable, otherwise incremental borrowing rate provided by the Department of Finance.

Subsequent to initial measurement, the liability will be reduced by the payments made and increased by the interest. It is remeasured to reflect any reassessment or modification to the lease. When the lease liability is remeasured, the corresponding adjustment is reflected in the right of use asset or profit and loss depending on the nature of the reassessment or modification.

## Note 2.5: Other provisions

	Onerous lease obligations <sup>1</sup>	Provision for restoration obligations <sup>2</sup>	Other provisions <sup>3</sup>	Total
	\$'000	\$'000	\$'000	\$'000

### Note 2.5A: Other provisions

<b>As at 1 July 2020</b>	<b>4,699</b>	<b>1,679</b>	<b>11,026</b>	<b>17,404</b>
Additional provisions made	—	51	—	51
Amounts reversed	(4,699)	—	—	(4,699)
Amounts used	—	—	(10,457)	(10,457)
Unwinding of discount	—	6	—	6
<b>Total as at 30 June 2021</b>	<b>—</b>	<b>1,736</b>	<b>569</b>	<b>2,305</b>

1. The relocation of the Victorian office in 2020 gave rise to an onerous lease obligation on the prior Melbourne office location.

The subsequent sub-lease of the space in 2020–21 required reversal of the provision and recognition as gains.

2. The ACIC currently has 5 agreements (2020: 5 agreements) for the leasing of premises which have provisions requiring the agency to restore the premises to their original condition at the conclusion of the lease. The ACIC has made a provision to reflect the present value of this obligation. Provisions for restoration obligation are expected to be settled in more than 12 months.

3. Following the finalisation of a legal settlement, majority of the provision is now reversed as used. The remaining other provisions represent minor building works for 2021–22.

### 3. Funding

#### Note 3.1: Appropriations

##### Note 3.1A: Annual appropriations (recoverable GST exclusive)

##### Annual appropriations for 2021

	Annual appropriation <sup>1</sup> \$'000	Adjustments to appropriation <sup>2</sup> \$'000	Total appropriation \$'000	Appropriation applied in 2021 (current and prior years) \$'000	Variance <sup>3</sup> \$'000
<b>Departmental</b>					
Ordinary annual services	98,672	19,807	118,479	(136,482)	(18,003)
Capital budget	2,599	–	2,599	(2,291)	308
Equity	8,679	–	8,679	(6,681)	1,998
<b>Total departmental</b>	<b>109,950</b>	<b>19,807</b>	<b>129,757</b>	<b>(145,454)</b>	<b>(15,697)</b>

1. Annual appropriation includes \$2.886m withheld and quarantined under section 51 of the *Public Governance, Performance and Accountability Act 2013* legally available to AGIC as at 30 June 2021.

2. This includes receipts under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

3. Variance in ordinary annual services of 18.003m includes \$2.886m withheld and quarantined for savings measures and the balance is spent towards capital and operational expenses. Variance in capital budget of \$0.308m is held for forward year spending. Variance in equity of \$1.998m is due to re-phasing 2021 funding, through section 51 of the *Public Governance, Performance and Accountability Act 2013* reductions, for forward year spending.

##### Annual appropriations for 2020

	Annual appropriation <sup>1</sup> \$'000	Adjustments to appropriation <sup>2</sup> \$'000	Total appropriation \$'000	Appropriation applied in 2020 (current and prior years) \$'000	Variance <sup>3</sup> \$'000
<b>Departmental</b>					
Ordinary annual services	104,245	26,623	130,868	(121,841)	9,027
Capital budget	2,612	–	2,612	(2,612)	–
Equity	23,636	–	23,636	(8,758)	14,878
<b>Total departmental</b>	<b>130,493</b>	<b>26,623</b>	<b>157,116</b>	<b>(133,211)</b>	<b>23,905</b>

1. Annual appropriation includes \$0.404m withheld and quarantined under section 51 of the *Public Governance, Performance and Accountability Act 2013* legally available to AGIC as at 30 June 2020.

2. This includes receipts under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

3. Variance in ordinary annual services of \$9,027m includes \$0.404m quarantined for savings measures and the balance is for forward year spending on several provisions. Variance in equity of \$14.878m is due to re-phasing 2020 funding, through section 51 of the *Public Governance, Performance and Accountability Act 2013* reductions, for forward year spending.

### Note 3.1: Appropriations (continued)

	2021	2020
	\$'000	\$'000

#### Note 3.1B: Unspent annual appropriations ('recoverable GST exclusive')

##### Departmental

Appropriation Act (No.1) 2020–21 <sup>1</sup>	43,269	–
Appropriation Act (No.1) 2019–20 <sup>1</sup>	–	63,230
Cash at bank and on hand <sup>2</sup>	3,109	3,836
<b>Total departmental</b>	<b>46,378</b>	<b>67,066</b>

1. The Appropriation Act (No.1) balance for 2019–20 and 2020–21 represents unspent appropriation for the year.

2. Represents appropriation funds drawn and held at bank in respective years.

### Note 3.2: Special accounts

	2021	2020
	\$'000	\$'000

#### Note 3.2A: National Policing Information Systems and Services Special Account<sup>1</sup>

<b>Balance brought forward from previous period</b>	<b>121,079</b>	125,812
Total increases	123,270	134,700
<b>Available for payments</b>	<b>244,349</b>	260,512
Total decreases	(115,548)	(139,433)
<b>Total balance carried to the next period</b>	<b>128,801</b>	121,079
<b>Balance represented by:</b>		
Cash held in the Official Public Account	128,801	121,079
<b>Total balance carried to the next period</b>	<b>128,801</b>	121,079

1. Legal authority: *Australian Crime Commission Act 2002* section 59C.

The purposes of the National Policing Information Systems and Services Special Account (NPISS Special Account) are defined by section 59E of the *Australian Crime Commission Act 2002* and are:

- paying for scoping, developing, procuring, implementing and operating information technology systems and services in connection with the national policing information functions;
- paying or discharging the costs, expenses and other obligations incurred by the Commonwealth in the performance of the national policing information functions;
- paying any remuneration and allowances payable to any person under this Act in relation to the national policing information functions;
- meeting the expenses of administering the account;
- repaying to a state all or part of an amount received from the state in connection with the performance of national policing information functions, if it is not required for a purpose for which it was paid;
- paying refunds in accordance with section 15A;
- reducing the balance of the account (and therefore the available appropriation for the account) without making a real or notional payment.

The NPISS Special Account was initially established by the *Financial Management and Accountability Determination 2006/07—National Policing Information Systems and Services Special Account Establishment 2006*.

The Account is a special account for the purpose of the *Public Governance Performance and Accountability Act 2013*.

#### 4. People and relationships

##### Note 4.1: Employee provisions

	2021	2020
	\$'000	\$'000
<b>Note 4.1A: Employee provisions</b>		
Employee leave	30,559	30,603
Separations and redundancies	100	–
<b>Total employee provisions</b>	<b>30,659</b>	<b>30,603</b>

##### Accounting Policy

Liabilities for 'short-term employee benefits' and termination benefits expected within twelve months of the end of reporting period are measured at their nominal amounts. The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

##### *Leave*

The liability for employee benefits includes provision for annual leave and long service leave. The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination. The liability for long service leave has been determined by reference to Financial Reporting Rule 24 using the shorthand method. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

##### *Separation and redundancy*

Provision is made for separation and redundancy benefit payments. The ACIC recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the termination.

##### *Superannuation*

The ACIC staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap) or other superannuation funds held outside the Australian Government. A small number of staff are members of employee nominated superannuation funds, as allowed under the ACIC's enterprise agreement. The PSSap and other employee nominated superannuation funds are defined contribution schemes. The CSS and PSS are defined benefit schemes for the Australian Government. The liabilities for defined benefit schemes are recognised in the financial statements of the Australian Government and are settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes. The ACIC makes employer contributions to the employees' defined benefit superannuation schemes at rates determined by an actuary to be sufficient to meet the current cost to the Government. The ACIC accounts for the contributions as if they were contributions to defined contribution plans. The liability for superannuation recognised as at 30 June 2021 represents outstanding contributions for the final fortnight of the year.

##### Note 4.2: Key management personnel remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the entity. The ACIC has determined the key management personnel positions to be the Chief Executive Officer, Chief Operating Officer and Executive Directors for Intelligence Operations, Capability, Technology and National Criminal Intelligence Systems.

The key management personnel remuneration excludes the remuneration and other benefits of the Minister. The Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the ACIC.

The ACIC CEO is also the Director of the Australian Institute of Criminology. The full cost of the CEO's remuneration is disclosed in this note and therefore none in the AIC annual financial statements.

Key management personnel remuneration is reported in the table below:

#### Note 4.2: Key management personnel remuneration (continued)

	2021	2020
	\$	\$
<b>Note 4.2A: Key management personnel remuneration</b>		
Short-term employee benefits	1,689,386	1,775,742
Post-employment benefits	291,281	283,017
Other long-term employee benefits	40,889	41,498
Termination benefits	366,185	–
<b>Total key management personnel remuneration expenses<sup>1</sup></b>	<b>2,387,741</b>	<b>2,100,257</b>
<b>Total number of key management personnel<sup>1</sup></b>	<b>6</b>	<b>6</b>

1. Includes officers substantively holding or acting for a period exceeding 3 months in a key management personnel position.

All of the positions except one were occupied for the full financial year. Based on the reporting guidelines each person held the post for a substantive portion of the year.

#### Note 4.3: Related party disclosure

##### Related party relationships:

The ACIC is an Australian Government controlled entity. Related parties of the ACIC comprise the ministers responsible for the ACIC, other cabinet ministers, other Australian Government entities, the key management personnel of the ACIC, and parties related to the ACIC's key management personnel.

##### Transactions with related parties:

Given the breadth of government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes. These transactions have not been separately disclosed in this note.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the entity, it has been determined that there are no related party transactions requiring disclosure.

## 5. Managing uncertainties

### Note 5.1: Financial instruments

	2021	2020
	\$'000	\$'000

#### Note 5.1A: Categories of financial instruments

##### Financial assets

##### Financial assets at amortised cost

Cash and cash equivalents	131,910	124,915
Trade and other receivables <sup>1</sup>	20,669	11,611
<b>Total financial assets</b>	<b>152,579</b>	<b>136,526</b>

##### Financial liabilities

##### Financial liabilities measured at amortised cost

Trade creditors and accruals	15,254	21,922
<b>Total financial liabilities</b>	<b>15,254</b>	<b>21,922</b>

1. Based on the receivable management history and the current debtor management process, the ACIC assessed the risk of impairment as nil (2020: \$0.024m).



**6. Other information****Note 6.1: Current/non-current distinction for assets and liabilities**

	2021	2020
	\$'000	\$'000

**Note 6.1A: Details of current/non-current distinction for assets and liabilities****Assets expected to be recovered in:****No more than 12 months**

Cash and cash equivalents	131,910	124,915
Trade and other receivables	66,481	77,440
Prepayments	7,822	9,448
<b>Total no more than 12 months</b>	<b>206,213</b>	<b>211,803</b>

**More than 12 months**

Buildings	50,746	43,681
Leasehold improvements	12,943	14,609
Property, plant and equipment	40,088	42,096
Intangibles	48,329	37,302
Prepayments	2,706	—
<b>Total more than 12 months</b>	<b>154,812</b>	<b>137,688</b>
<b>Total assets</b>	<b>361,025</b>	<b>349,491</b>

**Liabilities expected to be settled in:****No more than 12 months**

Suppliers	15,254	21,922
Other payables	4,501	7,378
Leases	14,290	10,706
Employee provisions	10,467	10,645
Other provisions	570	15,727
<b>Total no more than 12 months</b>	<b>45,082</b>	<b>66,378</b>

**More than 12 months**

Leases	48,203	45,250
Employee provisions	20,192	19,958
Other provisions	1,735	1,677
<b>Total more than 12 months</b>	<b>70,130</b>	<b>66,885</b>
<b>Total liabilities</b>	<b>115,212</b>	<b>133,263</b>

This note indicates the liquidity position of the ACIC.

## 7. Explanations of major variances between budget and actual

The following are explanations of events that have impacted on the ACIC's operations and activities for the year. Budget numbers are sourced from the ACIC's *Portfolio Budget Statements 2020–21* and are provided in the primary statements. Budgeted numbers are not audited.

Major variances are those deemed relevant or most significant to an analysis of the ACIC's performance by management, not focused merely on numerical differences between the actual and budgeted amounts.

When providing explanations, the ACIC has identified the financial impact in relation to those key aggregates relevant to the ACIC's performance. Users should be aware that there will be consequential impacts on related statements i.e. a variance in the Statement of Comprehensive Income is likely to have consequential impacts in the Statement of Financial Position and the Cash Flow Statement.

Explanation for major variances	Affected line items (and statements)
<b>High national policing check demand</b> <p>The budgeted revenue for NPCS reflected anticipated reduced demand as a result of the pandemic, and in line with significant reductions realised in the final quarter of 2019–20. The actual result however, reflects volumes considerably higher than expected which has resulted in higher revenue collected in the year and a corresponding increase in the agency's cash balance.</p>	<p><i>Own-source revenue: Revenue from contracts with customers (Statement of Comprehensive Income)</i></p> <p><i>Financial assets: Cash and cash equivalents (Statement of Financial Position)</i></p>
<b>Arrangements with other government agencies</b> <p>The agency received \$3.4m operating and \$8.8m capital of services free of charge. The budget estimate had anticipated that these would be paid services. The net impact was an increase in the agency's own source revenue and reduced cash required for the NCIS T1 program. It also re-classified part of the supplier expenses as resources received free of charge.</p>	<p><i>Own-source revenue: Resources received free of charge (Statement of Comprehensive Income)</i></p> <p><i>Financial assets: Cash and cash equivalents (Statement of Financial Position)</i></p> <p><i>Expenses: Suppliers, Resources received free of charge (Statement of Comprehensive Income)</i></p>
<b>Sub-leasing of vacated property</b> <p>In 2020–21 the agency successfully sublet a property that had been anticipated to be surplus to requirement. This increased the agency's own-source revenue and cash balance, and resulted in a reversal of onerous lease provision and recognition of leased assets and liabilities.</p>	<p><i>Expenses: Depreciation and amortisation (Statement of Comprehensive Income)</i></p> <p><i>Own-source revenue: Revenue from contracts with customers (Statement of Comprehensive Income)</i></p> <p><i>Gains: Other gains (Statement of Comprehensive Income)</i></p> <p><i>Financial assets: Cash and cash equivalents (Statement of Financial Position)</i></p> <p><i>Non-financial assets: Leasehold improvements (Statement of Financial Position)</i></p> <p><i>Interest bearing liabilities: Leases (Statement of Financial Position)</i></p> <p><i>Provisions: Other provisions (Statement of Financial Position)</i></p>

Explanation for major variances (continued)	Affected line items (and statements) (continued)
<b>COVID restrictions and reduced business activities</b> COVID-19 restrictions resulted in significant reductions in travel, employee training and hampered the agency's and contracted vendors' ability to deliver a number of projects. In addition, the agency's ability to interview and conduct prerequisite security clearance for recruiting staff was impacted, resulting in lower than budgeted staffing level.	<i>Expenses: Employee benefits, Suppliers (Statement of Comprehensive Income)</i>
<b>Delays in new measure implementation resulted from delays in enabling legislation</b> Delays in enabling legislation has resulted in planned implementation activities for three new measures being delayed with appropriation funding adjusted accordingly.	<i>Expenses: Employee benefits, Suppliers (Statement of Comprehensive Income)</i> <i>Revenue from Government—Departmental Appropriations (Statement of Comprehensive Income)</i> <i>Non-financial assets: Intangibles (Statement of Financial Position)</i> <i>Equity: Equity injection—Appropriations (Statement of Changes in Equity)</i>
<b>Legal settlements</b> The reduction in balance sheet items for cash and provisions reflects the finalisation of a legal settlement.	<i>Financial assets: Cash and cash equivalents (Statement of Financial Position)</i> <i>Provisions: Other provisions (Statement of Financial Position)</i>



“ We have *highly trained*  
and *skilled staff* ”

## Section 5

# Appendices and references

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### *Information required by legislation and aids to access*

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# Appendix A: List of requirements

As required by section 17AJ(d) of the *Public Governance, Performance and Accountability Rule 2014*, we have included the following list of requirements as an aid to access.

PGPA Rule reference	Part of report	Description	Requirement
<b>17AD(g) Letter of transmittal</b>			
17AI	vi	A copy of the letter of transmittal signed and dated by the accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the Act and any enabling legislation that specifies additional requirements in relation to the annual report.	Mandatory
<b>17AD(h) Aids to access</b>			
17AJ(a)	vii	Table of contents.	Mandatory
17AJ(b)	158	Alphabetical index.	Mandatory
17AJ(c)	155–157	Glossary, abbreviations and acronyms.	Mandatory
17AJ(d)	128–133	List of requirements.	Mandatory
17AJ(e)	Inside front cover	Details of contact officer.	Mandatory
17AJ(f)	Inside front cover	Entity's website address.	Mandatory
17AJ(g)	Inside front cover	Electronic address of report.	Mandatory
<b>17AD(a) Review by the accountable authority</b>			
17AD(a)	2–3	A review by the accountable authority of the entity.	Mandatory
<b>17AD(b) Overview of entity</b>			
17AE(1)(a)(i)	4–5	A description of the role and functions of the entity.	Mandatory
17AE(1)(a)(ii)	7	A description of the organisational structure of the entity.	Mandatory
17AE(1)(a)(iii)	8–9	A description of the outcomes and programs administered by the entity.	Mandatory
17AE(1)(a)(iv)	9	A description of the purposes of the entity as included in the corporate plan.	Mandatory
17AE(1)(aa)(i)	56	Name of the accountable authority or each member of the accountable authority.	Mandatory
17AE(1)(aa)(ii)	56	Position title of the accountable authority or each member of the accountable authority.	Mandatory
17AE(1)(aa)(iii)	56	Period as the accountable authority or member of the accountable authority within the reporting period.	Mandatory
17AE(1)(b)	Not applicable	An outline of the structure of the portfolio of the entity.	Portfolio departments —Mandatory
17AE(2)	Not applicable	Where outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change.	If applicable, Mandatory

PGPA Rule reference	Part of report	Description	Requirement
17AD(c)	Report on the performance of the entity		
Annual performance statements			
17AD(c)(i); 16F	16–45	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the PGPA Rule.	Mandatory
17AD(c)(ii)	Report on financial performance		
17AF(1)(a)	47–52	A discussion and analysis of the entity’s financial performance.	Mandatory
17AF(1)(b)	51	A table summarising the total resources and total payments of the entity.	Mandatory
17AF(2)	Not applicable	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on the entity’s future operation or financial results.	If applicable, Mandatory
17AD(d)	Management and accountability		
Corporate governance			
17AG(2)(a)	vi	Information on compliance with section 10 (fraud systems).	Mandatory
17AG(2)(b)(i)	vi	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.	Mandatory
17AG(2)(b)(ii)	vi	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place.	Mandatory
17AG(2)(b)(iii)	vi	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.	Mandatory
17AG(2)(c)	56–69	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance.	Mandatory
17AG(2)(d) – (e)	47	A statement of significant issues reported to the Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with finance law and action taken to remedy non-compliance.	If applicable, Mandatory
Audit Committee			
17AG(2A)(a)	64	A direct electronic address of the charter determining the functions of the entity’s audit committee.	Mandatory
17AG(2A)(b)	65–66	The name of each member of the entity’s audit committee.	Mandatory
17AG(2A)(c)	65–66	The qualifications, knowledge, skills or experience of each member of the entity’s audit committee.	Mandatory

PGPA Rule reference	Part of report	Description	Requirement
17AG(2A)(d)	65–66	Information about the attendance of each member of the entity's audit committee at committee meetings.	Mandatory
17AG(2A)(e)	65–66	The remuneration of each member of the entity's audit committee.	Mandatory
<i>External scrutiny</i>			
17AG(3)	70–80	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny.	Mandatory
17AG(3)(a)	78–80	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity.	If applicable, Mandatory
17AG(3)(b)	71–73, 77–78	Information on any reports on operations of the entity by the Auditor-General (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman.	If applicable, Mandatory
17AG(3)(c)	Not applicable	Information on any capability reviews on the entity that were released during the period.	If applicable, Mandatory
<i>Management of human resources</i>			
17AG(4)(a)	81–91	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives.	Mandatory
17AG(4)(aa)	138–139	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: <ul style="list-style-type: none"> <li>▶ statistics on full-time employees;</li> <li>▶ statistics on part-time employees;</li> <li>▶ statistics on gender;</li> <li>▶ statistics on staff location.</li> </ul>	Mandatory
17AG(4)(b)	140–143	Statistics on the entity's APS employees on an ongoing and nonongoing basis; including the following: <ul style="list-style-type: none"> <li>▶ statistics on staffing classification level;</li> <li>▶ statistics on full-time employees;</li> <li>▶ statistics on part-time employees;</li> <li>▶ statistics on gender;</li> <li>▶ statistics on staff location;</li> <li>▶ statistics on employees who identify as Indigenous.</li> </ul>	Mandatory
17AG(4)(c)	87, 145	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the <i>Public Service Act 1999</i> .	Mandatory
17AG(4)(c)(i)	145	Information on the number of SES and non-SES employees covered by agreements etc. identified in paragraph 17AG(4)(c).	Mandatory
17AG(4)(c)(ii)	144	The salary ranges available for APS employees by classification level.	Mandatory



PGPA Rule reference	Part of report	Description	Requirement
17AG(4)(c)(iii)	87	A description of non-salary benefits provided to employees.	Mandatory
17AG(4)(d)(i)	Not applicable	Information on the number of employees at each classification level who receive performance pay.	If applicable, Mandatory
17AG(4)(d)(ii)	Not applicable	Information on aggregate amounts of performance pay at each classification level.	If applicable, Mandatory
17AG(4)(d)(iii)	Not applicable	Information on the average amount of performance payment, and range of such payments, at each classification level.	If applicable, Mandatory
17AG(4)(d)(iv)	Not applicable	Information on aggregate amount of performance payments.	If applicable, Mandatory
<i>Assets management</i>			
17AG(5)	92	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities.	If applicable, Mandatory
<i>Purchasing</i>			
17AG(6)	63	An assessment of entity performance against the Commonwealth Procurement Rules.	Mandatory
<i>Reportable consultancy contracts</i>			
17AG(7)(a)	94	A summary statement detailing the number of new reportable consultancy contracts entered into during the period; the total actual expenditure on all such contracts (inclusive of GST); the number of ongoing reportable consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory
17AG(7)(b)	94	A statement that <i>'During [reporting period], [specified number] new reportable consultancy contracts were entered into involving total actual expenditure of \$[specified million]. In addition, [specified number] ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$[specified million]'</i>	Mandatory
17AG(7)(c)	94	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were engaged.	Mandatory
17AG(7)(d)	95	A statement that <i>'Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable consultancy contracts is available on the AusTender website.'</i>	Mandatory

PGPA Rule reference	Part of report	Description	Requirement
<i>Reportable non-consultancy contracts</i>			
17AG(7A)(a)	95	A summary statement detailing the number of new reportable non-consultancy contracts entered into during the period; the total actual expenditure on such contracts (inclusive of GST); the number of ongoing reportable non-consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory
17AG(7A)(b)	95	A statement that <i>'Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender website.'</i>	Mandatory
17AD(daa)	<i>Additional information about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts</i>		
17AGA	94, 95	Additional information, in accordance with section 17AGA, about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts.	Mandatory
<i>Australian National Audit Office access clauses</i>			
17AG(8)	95	If an entity entered into a contract with a value of more than \$100,000 (inclusive of GST) and the contract did not provide the Auditor-General with access to the contractor's premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract.	If applicable, Mandatory
<i>Exempt contracts</i>			
17AG(9)	95	If an entity entered into a contract or there is a standing offer with a value greater than \$10,000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters.	If applicable, Mandatory
<i>Small business</i>			
17AG(10)(a)	93	A statement that <i>'[Name of entity] supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance's website.'</i>	Mandatory
17AG(10)(b)	93	An outline of the ways in which the procurement practices of the entity support small and medium enterprises.	Mandatory

PGPA Rule reference	Part of report	Description	Requirement
17AG(10)(c)	93	If the entity is considered by the Department administered by the Finance Minister as material in nature—a statement that <i>'[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury's website'</i> .	If applicable, Mandatory
<i>Financial statements</i>			
17AD(e)	100–125	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act.	Mandatory
<i>Executive remuneration</i>			
17AD(da)	145–148	Information about executive remuneration in accordance with Subdivision C of Division 3A of Part 23 of the Rule.	Mandatory
<b>17AD(f)</b>	<b>Other mandatory information</b>		
17AH(1)(a)(i)	Not applicable	If the entity conducted advertising campaigns, a statement that <i>'During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity's website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance's website'</i> .	If applicable, Mandatory
17AH(1)(a)(ii)	96	If the entity did not conduct advertising campaigns, a statement to that effect.	If applicable, Mandatory
17AH(1)(b)	Not applicable	A statement that <i>'Information on grants awarded to [name of entity] during [reporting period] is available at [address of entity's website]'</i> .	If applicable, Mandatory
17AH(1)(c)	87	Outline of mechanisms of disability reporting, including reference to website for further information.	Mandatory
17AH(1)(d)	78	Website reference to where the entity's Information Publication Scheme statement pursuant to Part II of FOI Act can be found.	Mandatory
17AH(1)(e)	149–151	Correction of material errors in previous annual report.	If applicable, Mandatory
17AH(2)	96, 134–137	Information required by other legislation.	Mandatory

## Appendix B: Work health and safety

This appendix addresses our annual reporting responsibilities under Schedule 2, Part 4, of the *Work Health and Safety Act 2011*.

### Work health safety and wellbeing priorities

In 2020–21, the ACIC:

- ▶ provided advice and guidance to staff in relation to COVID-19 and implemented the COVIDSafe transition plan for the ACIC
- ▶ strengthened our existing work health and safety (WHS) and wellbeing systems by improving relevant policies, processes and planned risk assessments
- ▶ implemented early intervention strategies and health case management, leading to improved injury prevention and workers compensation performance and a reduction in unplanned leave
- ▶ further strengthened our due diligence framework through alignment with the new risk management policy and organisational restructures, improved due diligence checklists and WHS risk register reviews
- ▶ assisted in the development and implementation of a new home-based work policy and application form for staff, leading to increases in the number of staff working from home and staff work-life balance and job satisfaction.

Our rehabilitation management system was the subject of an internal audit in 2020–21. The audit found no areas of non-conformance but made observations on areas of improvement to help strengthen the agency's compliance with safety, rehabilitation, compensation and WHS obligations and legislative requirements.

### Work health and safety management arrangements

Our National Work Health Safety Committee is responsible for:

- ▶ supporting the ACIC executive to identify, develop, review and implement measures to protect and actively manage the health and safety of staff
- ▶ promoting and monitoring measures to ensure safe work practices
- ▶ facilitating consultation and communication with staff about WHS matters
- ▶ undertaking functions prescribed in the *Work Health and Safety Act 2011* and associated regulations.

The National Work Health Safety Committee meets quarterly and is the conduit for consultation with staff on all WHS issues. Local consultative committees meet prior to the meetings of the national committee, in order to provide input on local WHS issues around the country.

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

We are committed to maintaining a safe and healthy workplace and empowering staff to take ownership of their own health, safety and wellbeing.

## Health and wellbeing

The development and implementation of the ACIC's WHS calendar of events provides staff with health and wellbeing information, resources and activities that:

- ▶ help staff to make positive health and behaviour changes
- ▶ assist staff to manage their own mental fitness and the mental fitness of their colleagues, family and friends
- ▶ promote a culture that supports a healthy and safe workplace
- ▶ encompass a broad view of health, including physical, mental and social aspects
- ▶ demonstrate our commitment to the safety, health and wellbeing of our staff and their families.

In 2020–21, the ACIC partnered with Fortem Australia to provide support and services to ACIC staff. Fortem Australia provides wellbeing and mental fitness activities and support services to people who protect and defend the Australian community in a national security and first responder capacity, and to their families.

## Prevention programs

We take a proactive approach to identifying and controlling hazards to prevent injuries in the workplace.

In 2020–21, we provided information, resources and tools for managers and staff to facilitate early assistance to support injury, illness and health conditions in the workplace. We also provided staff with access to:

- ▶ early intervention support, ergonomic assessments and health and/or injury advice and support
- ▶ a dedicated employee assistance program which includes 24/7 emergency counselling, staff and manager assistance, mediation services and other information and support services
- ▶ Fortem Australia activities and services.

We continued to identify and assess hazards within the workplace and ensure that risk control strategies were in place. This included conducting regular workplace inspections to identify hazards and determine appropriate controls, and undertaking targeted and random, unannounced drug and alcohol testing of high-risk and non-high-risk staff.

## 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 and to deter drug and alcohol misuse by staff. Our policy includes:

- ▶ zero tolerance in relation to the use, possession, sale and distribution of illicit drugs for all staff at all times
- ▶ a limit of zero blood alcohol concentration for staff while on duty in a high-risk role and less than 0.05 blood alcohol concentration for all other staff while at an ACIC workplace or on official ACIC duty.

Scheduled drug and alcohol testing was completed for 2020–21, with 83 targeted and 147 random drug and alcohol tests. One positive result was returned but did not require further action.

## Health and safety outcomes

The ACIC is committed to preventing injury or illness and helping staff return to work as quickly and safely as possible. Our commitment is demonstrated through our systems and programs for rehabilitation and injury management, early intervention and wellbeing support.

In 2020–21, we engaged industry professionals to assist with:

- ▶ external rehabilitation assessment and management services for compensable and non-compensable matters
- ▶ workstation assessments for staff experiencing pain and discomfort, injury, changes in work practices or the installation of new equipment
- ▶ staff and management mediation
- ▶ WHS and wellbeing workplace training, information and education sessions
- ▶ required early intervention training for managers
- ▶ drug and alcohol testing
- ▶ flu vaccinations.

## Workers compensation

Agencies' workers compensation premium rates are driven by the agencies' performance in managing their workers compensation claims and supporting injured staff to return to work.

The ACIC's premium and regulatory contribution amount for 2020–21 was \$884,875 (excluding GST). The ACIC's premium rate is tracking below the average premium rate for the Comcare scheme.

The ACIC's estimated premium and regulatory contribution amount for 2021–22 is \$891,242 (excluding GST). The actual premium amount is expected to be determined by Comcare in July 2021, and may be slightly different to the estimate due to updates to full-time equivalent staff and payroll figures. The minor increase in cost from the previous financial year is a result of the forecasted cost of claims being higher.

In 2020–21, one claim for workers compensation from an ACIC staff member, relating to psychological injury/disease, was received and later denied by Comcare. This number of claims was below the previous year's total, as shown in Table B.1. One secondary claim for compensation submitted during 2019–20 is pending determination by Comcare.

**Table B.1:** Accepted compensation claims

Year	Claims
2016–17	1
2017–18	3
2018–19	2
2019–20	2
2020–21	1

## Incidents and injuries

Twenty-eight injuries, incidents or hazards (excluding notifiable incidents) were reported in 2020–21, as shown in Table B.2. This was consistent with the total for 2019–20.

**Table B.2:** Injuries, incidents and hazards

Type	Injuries
Biological	3
Body stressing	1
Chemicals and other substances	1
Hitting object with body	1
Mental stress	3
Other and unspecified	7
Slips, trips and falls	6
Hazard reports	6
<b>Total</b>	<b>28</b>

## Notifications and investigations

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

The ACIC had 2 notifiable incidents during 2020–21. The ACIC's WHS and Wellbeing Team reviewed both incidents and, where possible, implemented corrective actions and continued to consult with relevant stakeholders to assist in reducing the likelihood of similar incidents occurring in the future.

Comcare investigated and subsequently closed the 2 matters.

## Appendix C: Employee statistics

The tables in this appendix provide an overview of ACIC staffing, including details required by section 17AG(4) of the *Public Governance, Performance and Accountability Rule 2014*.

**Table C.1:** Ongoing employees by location at 30 June 2021

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	68	3	71	36	11	47	–	–	–	118
QLD	35	1	36	24	3	27	–	–	–	63
SA	10	1	11	12	7	19	–	–	–	30
TAS	–	–	–	2	–	2	–	–	–	2
VIC	40	–	40	32	5	37	–	–	–	77
WA	25	–	25	4	1	5	–	–	–	30
ACT	179	7	186	194	36	230	–	–	–	416
NT	1	–	1	–	1	1	–	–	–	2
OS	2	–	2	–	–	–	–	–	–	2
<b>Total</b>	<b>360</b>	<b>12</b>	<b>372</b>	<b>304</b>	<b>64</b>	<b>368</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>740</b>

OS = overseas

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.2:** Non-ongoing employees and statutory office holders by location at 30 June 2021

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	1	2	3	3	–	3	–	–	–	6
QLD	2	–	2	1	–	1	–	–	–	3
SA	1	1	2	–	–	–	–	–	–	2
TAS	–	–	–	–	–	–	–	–	–	–
VIC	–	–	–	1	–	1	–	–	–	1
WA	–	–	–	–	–	–	–	–	–	–
ACT	5	–	5	11	–	11	–	–	–	16
NT	–	–	–	–	–	–	–	–	–	–
OS	–	–	–	–	–	–	–	–	–	–
<b>Total</b>	<b>9</b>	<b>3</b>	<b>12</b>	<b>16</b>	<b>–</b>	<b>16</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>28</b>

OS = overseas

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.



**Table C.3:** Ongoing employees by location at 30 June 2020

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	69	3	72	31	11	42	–	–	–	114
QLD	33	1	34	21	3	24	–	–	–	58
SA	11	1	12	11	6	17	–	–	–	29
TAS	–	–	–	2	–	2	–	–	–	2
VIC	46	–	46	33	3	36	–	–	–	82
WA	23	–	23	5	2	7	–	–	–	30
ACT	183	8	191	215	29	244	–	–	–	435
NT	1	–	1	–	1	1	–	–	–	2
OS	–	–	–	–	–	–	–	–	–	–
<b>Total</b>	<b>366</b>	<b>13</b>	<b>379</b>	<b>318</b>	<b>55</b>	<b>373</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>752</b>

OS = overseas

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.4:** Non-ongoing employees and statutory office holders by location at 30 June 2020

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	1	2	3	1	–	1	–	–	–	4
QLD	–	–	–	2	–	2	–	–	–	2
SA	1	1	2	–	–	–	–	–	–	2
TAS	–	–	–	–	–	–	–	–	–	–
VIC	–	–	–	1	–	1	–	–	–	1
WA	–	–	–	–	–	–	–	–	–	–
ACT	10	–	10	9	1	10	–	–	–	20
NT	–	–	–	–	–	–	–	–	–	–
OS	–	–	–	–	–	–	–	–	–	–
<b>Total</b>	<b>12</b>	<b>3</b>	<b>15</b>	<b>13</b>	<b>1</b>	<b>14</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>29</b>

OS = overseas

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.5: Australian Public Service Act ongoing employees at 30 June 2021**

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	–	–	–	–	–	–	–	–	–	–
SES 2	1	–	1	2	–	2	–	–	–	3
SES 1	8	–	8	3	–	3	–	–	–	11
EL 2	49	2	51	20	7	27	–	–	–	78
EL 1	195	3	198	73	18	91	–	–	–	289
APS 6	41	3	44	80	14	94	–	–	–	138
APS 5	29	2	31	57	8	65	–	–	–	96
APS 4	30	1	31	56	11	67	–	–	–	98
APS 3	6	–	6	13	5	18	–	–	–	24
APS 2	1	–	1	1	–	1	–	–	–	2
APS 1	–	1	1	–	–	–	–	–	–	1
<b>Total</b>	<b>360</b>	<b>12</b>	<b>372</b>	<b>305</b>	<b>63</b>	<b>368</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>740</b>

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

Note: These figures represent positions that were substantively filled at 30 June 2021. Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.6: Australian Public Service Act non-ongoing employees at 30 June 2021**

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	–	–	–	–	–	–	–	–	–	–
SES 2	–	–	–	–	–	–	–	–	–	–
SES 1	–	–	–	–	–	–	–	–	–	–
EL 2	–	–	–	–	–	–	–	–	–	–
EL 1	3	–	3	6	–	6	–	–	–	9
APS 6	2	–	2	2	–	2	–	–	–	4
APS 5	–	–	–	6	–	6	–	–	–	6
APS 4	2	–	2	2	–	2	–	–	–	4
APS 3	1	–	1	–	–	–	–	–	–	1
APS 2	–	–	–	–	–	–	–	–	–	–
APS 1	–	–	–	–	–	–	–	–	–	–
<b>Total</b>	<b>8</b>	<b>–</b>	<b>8</b>	<b>16</b>	<b>–</b>	<b>16</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>24</b>

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.7:** Australian Public Service Act ongoing employees at 30 June 2020

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	–	–	–	–	–	–	–	–	–	–
SES 2	2	–	2	2	–	2	–	–	–	4
SES 1	11	–	11	3	–	3	–	–	–	14
EL 2	50	2	52	22	4	26	–	–	–	78
EL 1	183	4	187	85	18	103	–	–	–	290
APS 6	45	3	48	70	14	84	–	–	–	132
APS 5	30	2	32	55	8	63	–	–	–	95
APS 4	38	1	39	67	7	74	–	–	–	113
APS 3	6	–	6	14	4	18	–	–	–	24
APS 2	1	–	1	–	–	–	–	–	–	1
APS 1	–	1	1	–	–	–	–	–	–	1
<b>Total</b>	<b>366</b>	<b>13</b>	<b>379</b>	<b>318</b>	<b>55</b>	<b>373</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>752</b>

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

Note: These figures represent positions that were substantively filled at 30 June 2021. Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.8:** Australian Public Service Act non-ongoing employees at 30 June 2020

	Male			Female			Indeterminate			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	–	–	–	–	–	–	–	–	–	–
SES 2	–	–	–	–	–	–	–	–	–	–
SES 1	–	–	–	–	–	–	–	–	–	–
EL 2	1	–	1	–	–	–	–	–	–	1
EL 1	5	–	5	4	–	4	–	–	–	9
APS 6	1	–	1	3	1	4	–	–	–	5
APS 5	1	–	1	1	–	1	–	–	–	2
APS 4	3	–	3	5	–	5	–	–	–	8
APS 3	–	–	–	–	–	–	–	–	–	–
APS 2	–	–	–	–	–	–	–	–	–	–
APS 1	–	–	–	–	–	–	–	–	–	–
<b>Total</b>	<b>11</b>	<b>–</b>	<b>11</b>	<b>13</b>	<b>1</b>	<b>14</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>25</b>

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.9:** Australian Public Service Act employees by full-time and part-time status at 30 June 2021

	Ongoing			Non-ongoing			Total
	Full time	Part time	Total ongoing	Full time	Part time	Total non-ongoing	
SES 3	–	–	–	–	–	–	–
SES 2	3	–	3	–	–	–	3
SES 1	11	–	11	–	–	–	11
EL 2	69	9	78	–	–	–	78
EL 1	268	21	289	9	–	9	298
APS 6	121	17	138	4	–	4	142
APS 5	86	10	96	6	–	6	102
APS 4	86	12	98	4	–	4	102
APS 3	19	5	24	1	–	1	25
APS 2	2	–	2	–	–	–	2
APS 1	–	1	1	–	–	–	1
<b>Total</b>	<b>665</b>	<b>75</b>	<b>740</b>	<b>24</b>	<b>–</b>	<b>24</b>	<b>764</b>

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

Note: These figures represent positions that were substantively filled at 30 June 2021. Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.10:** Australian Public Service Act employees by full-time and part-time status at 30 June 2020

	Ongoing			Non-ongoing			Total
	Full time	Part time	Total ongoing	Full time	Part time	Total non-ongoing	
SES 3	–	–	–	–	–	–	–
SES 2	4	–	4	–	–	–	4
SES 1	14	–	14	–	–	–	14
EL 2	72	6	78	1	–	1	79
EL 1	268	22	290	9	–	9	299
APS 6	115	17	132	4	1	5	137
APS 5	85	10	95	2	–	2	97
APS 4	105	8	113	8	–	8	121
APS 3	20	4	24	–	–	–	24
APS 2	1	–	1	–	–	–	1
APS 1	–	1	1	–	–	–	1
<b>Total</b>	<b>684</b>	<b>68</b>	<b>752</b>	<b>24</b>	<b>1</b>	<b>25</b>	<b>777</b>

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

Note: These figures represent positions that were substantively filled at 30 June 2021. Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.11:** Australian Public Service Act employees by location 2020–21 and 2019–20

	2020–21			2019–20		
	Ongoing	Non-ongoing	Total	Ongoing	Non-ongoing	Total
NSW	118	6	124	114	2	116
QLD	63	3	66	58	2	60
SA	30	2	32	29	1	30
TAS	2	–	2	2	–	2
VIC	77	1	78	82	1	83
WA	30	–	30	30	–	30
ACT	416	16	432	435	19	454
NT	2	–	2	2	–	2
OS	2	–	2	–	–	–
<b>Total</b>	<b>740</b>	<b>28</b>	<b>768</b>	<b>752</b>	<b>25</b>	<b>777</b>

OS = overseas

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.12:** Australian Public Service Act Indigenous employees 2020–21 and 2019–20

Employment	2020–21	2019–20
Ongoing	17	9
Non-ongoing	1	–
<b>Total</b>	<b>18</b>	<b>9</b>

Note: Staffing numbers include AIC staff. Further staffing details are provided in the AIC annual report.

**Table C.13:** Australian Public Service Act employment arrangements 2020–21

Arrangement title	SES	Non-SES	Total
Enterprise agreement	–	750	750
Common law contract	14	–	14
<b>Total</b>	<b>14</b>	<b>750</b>	<b>764</b>

SES = Senior Executive Service

**Table C.14:** Australian Public Service Act employment salary ranges by classification 2020–21

	Minimum	Maximum
<b>SES 3</b>	311,822	–
<b>SES 2</b>	252,000	293,000
<b>SES 1</b>	181,500	236,500
<b>EL 2</b>	129,618	146,040
<b>EL 1</b>	103,746	125,076
<b>APS 6</b>	82,288	93,121
<b>APS 5</b>	75,418	79,972
<b>APS 4</b>	68,114	73,957
<b>APS 3</b>	61,967	66,881
<b>APS 2</b>	53,563	59,394
<b>APS 1</b>	46,626	51,532

APS = Australian Public Service, EL = Executive Level, SES = Senior Executive Service

Note: Remuneration for SES officers is determined on an individual basis under common law contracts. Staffing numbers include AIC staff.  
Further staffing details are provided in the AIC annual report.

## Appendix D: Executive remuneration disclosures

The tables in this appendix provide information on executive remuneration as required by Subdivision C of Part 2–3 of the *Public Governance, Performance and Accountability Rule 2014*.

The nature and amount of remuneration for Senior Executive Service (SES) officers are determined through the ACIC Senior Executive Service Remuneration and Benefits Policy. SES salary increases take into account the complexity of the officer's role, their current and previous performance, their contributions to corporate goals and values, the financial position of the ACIC, comparisons with other SES officers, and the quantum of remuneration relative to other ACIC staff.

The ACIC uses common law contracts for all SES employees to govern remuneration and entitlements.

As our CEO and ACIC examiners are statutory office holders, the Remuneration Tribunal sets their remuneration and entitlements.

**Table D.1: Key management personnel**

Name	Position	Term as key management personnel
Michael Phelan	Chief Executive Officer	Full year
Anne Brown	Chief Operating Officer	Full year
Matthew Rippon	Executive Director Intelligence Operations	Full year
Mark Harrison	Executive Director Capability	Part year—1 July 2020 to 31 December 2020
Rochelle Thorne	Executive Director NCIS Program	Full year
Stewart Sibree	Acting Executive Director Technology	Full year

**Table D.2:** Summary of remuneration for key management personnel

	2020–21	2019–20
	\$	\$
Short-term benefits		
Base salary	1,680,696	1,746,063
Bonuses	–	–
Other benefits and allowances	8,690	29,679
<b>Total short-term benefits</b>	<b>1,689,386</b>	<b>1,775,742</b>
Superannuation	291,281	283,017
<b>Total post-employment benefits</b>	<b>291,281</b>	<b>283,017</b>
Other long-term benefits		
Long service leave	40,889	41,498
<b>Total other long-term benefits</b>	<b>40,889</b>	<b>41,498</b>
Termination benefits	366,185	–
<b>Total key management personnel remuneration</b>	<b>2,387,741</b>	<b>2,100,257</b>

Note: Final figures have been rounded to the nearest dollar.



Table D.3: Information about remuneration for key management personnel 2020–21

Name	Position title	Short-term benefits			Post-employment benefits	Other long-term benefits		Termination benefits	Total remuneration
		Base salary <sup>a</sup>	Bonuses	Other benefits and allowances		Superannuation contributions <sup>b</sup>	Long service leave <sup>c</sup>		
Michael Phelan	Chief Executive Officer <sup>d</sup>	501,351	—	1,580	79,099	12,097	—	594,127	
Anne Brown	Chief Operating Officer	278,555	—	1,580	51,739	6,854	—	338,728	
Matthew Rippon	Executive Director Intelligence Operations	275,418	—	1,580	49,445	6,550	—	332,993	
Mark Harrison	Executive Director Capability	127,568	—	790	19,553	3,275	266,185	417,371	
Rochelle Thorne	Chief Information Officer/Executive Director NCIS Program	253,247	—	1,580	49,445	6,550	100,000	410,823	
Stewart Sibree	Acting Executive Director Technology	244,556	—	1,580	41,999	5,563	—	293,699	
Total		1,680,696	—	8,690	291,281	40,889	366,185	2,387,741	

a. Base salary includes salary paid or due to employee for the year; it includes net annual leave (total annual accrual minus leave taken in this financial year) and any applicable acting allowances.

b. Superannuation is subject to Public Sector Superannuation Scheme, Commonwealth Superannuation Scheme and Public Sector Superannuation Accumulation Plan rules. Superannuation contributions are the 2020–21 contributions by the ACIC to the applicable superannuation fund. They do not include employee post-tax contributions or additional lump sum payments.

c. Long service leave is the value of long service accrued during this financial year.

d. CEO salary is subject to a 2020 full-time office holder Remuneration Tribunal determination. The ACIC CEO is also the Director of the Australian Institute of Criminology. The full cost of the ACIC CEO is included above. Note: Includes officers substantively holding or acting for a period exceeding 3 months in a key management personnel position.

Due to an internal restructure the Executive Director Capability and Executive Director NCIS Program positions were repurposed.

Final figures have been rounded to the nearest dollar.

**Table D.4:** Information about remuneration for senior executives 2020–21

Total remuneration bands	Number of senior executives	Short-term benefits			Post-employment benefits	Other long-term benefits	Termination benefits	Total remuneration
		Average base salary	Average bonuses	Average other benefits and allowances				
\$		\$	\$	\$	\$	\$	\$	\$
0–220,000	4	110,633	–	1,492	15,510	3,284	–	130,620
220,001–245,000	2	191,137	–	1,816	28,893	4,881	–	226,728
245,001–270,000	3	222,372	–	1,185	32,887	3,919	–	260,363
270,001–295,000	3	234,390	–	4,898	41,679	4,322	–	285,288
320,001–345,000	1	94,533	–	859	19,665	5,000	200,128	320,184

Note: Final figures have been rounded to the nearest dollar.

**Table D.5:** Information about remuneration for other highly paid staff 2020–21

Total remuneration bands	Number of other highly paid staff	Short-term benefits			Post-employment benefits	Other long-term benefits	Termination benefits	Total remuneration
		Average base salary	Average bonuses	Average other benefits and allowances				
\$		\$	\$	\$	\$	\$	\$	\$
245,001–270,000	1	243,771	–	–	20,354	5,192	–	269,317
270,001–295,000	1	243,797	–	–	43,979	6,880	–	294,656
470,001–495,000	1	415,740	–	–	62,234	10,508	–	488,481

Note: Final figures have been rounded to the nearest dollar.

## Appendix E: Correction of reporting errors

This appendix corrects the record by explaining reporting errors that occurred in a previous annual report, in accordance with section 17AH(1)(e) of the *Public Governance, Performance and Accountability Rule 2014*.

The *Australian Criminal Intelligence Commission Annual Report 2019–20* contained 4 reporting errors in the data provided in the annual performance statements, as discussed below.

### Figure 2.6

Figure 2.6: Intelligence products focused on priority crime themes (page 30) included a graph of the number of intelligence products produced, sorted by priority crime theme. As a result of an error in the formula, dating back to 2016–17, some products were counted multiple times, which artificially inflated the count.

The data reported in the figure and the actual data are shown in Table E.1. The error did not change the performance result, as it did not significantly alter the alignment between the 2019–20 results and the 4-year trend for each priority crime theme.

**Table E.1:** Correction of data on intelligence products focused on priority crime themes

Theme	Reported in 2019–20		Actual for 2019–20	
	4-year trend	2019–20	4-year trend	2019–20
Financial crime	836	1,069	633	770
Drugs	861	1,512	624	1,026
Other	439	302	419	250
Gangs	449	730	446	727
Firearms	445	506	389	420
Cybercrime	335	288	181	162
National security	162	86	95	57

### Table 2.9

Table 2.9: System availability (page 50) included data that had been incorrectly drawn from the system.

The data reported in the table and the actual results are shown in Table E.2. The error did not change the performance result, as all board-agreed benchmarks were met.

**Table E.2:** Correction of data on system availability

Service type	System	Board-agreed benchmark %	Historical average %	Reported in 2019–20 %	Actual for 2019–20 %
Frontline	National Police Reference System	99.5	99.53	99.64	99.66
	National Firearms Identification Database	96.0	99.69	99.84	99.83
	Australian Ballistic Information Network	95.0	99.97	100.00	100.00
	Australian Firearms Information Network	n.a.	99.42	99.93	99.93
	National Vehicles of Interest System	99.0	99.89	99.51	99.50
Biometric and forensic	National Automated Fingerprint Identification System	99.4	99.68	99.88	99.84
	National Criminal Investigation DNA Database	99.0	99.60	99.67	99.66
	National Missing Persons and Victim System	96.0	99.84	99.97	99.81
Protection	National Child Offender System	99.5	99.57	99.67	99.67
	Child Exploitation Tracking System	96.0	99.95	100.00	100.00
Checking	National Police Checking Service/NPCS Support System	99.0	98.54	99.65	99.49
Criminal Intelligence	Australian Law Enforcement Intelligence Network	n.a.	99.93	99.23	99.22
	Australian Criminal Intelligence Database	n.a.	99.99	99.23	99.22
	National Target System	n.a.	99.96	99.98	100.00

n.a. = not applicable

**Table 2.12**

In Table 2.12: Searches conducted (page 53), the historical average for the Australian Criminal Intelligence Database (ACID) and the 2019–20 total for the National Vehicles of Interest System (NVOI) were incorrectly reported.

In 2017–18, ACID experienced a one-off spike in searches that was not reflective of overall usage patterns. In reporting for 2019–20, the ACIC used the 3-year historical average of 2015–16, 2016–17 and 2018–19, to exclude that spike and more accurately reflect the average performance of the system. The annual report inadvertently failed to clarify that the average used in Table 2.12 was for 3 years rather than 4. Table 2.5 in this report shows a 4-year average for ACID as noted on page 37.

The total shown for the NVOI did not include searches conducted after the system had migrated to a new server, and therefore under-reported searches performed during the period.

The data reported in the table and the actual results are shown in Table E.3. The errors did not change the performance result, as we continued to not meet the 4-year averages for both systems.

**Table E.3: Correction of data on searches conducted**

Service type	System	Reported in 2019–20		Actual for 2019–20	
		4-year trend	2019–20	4-year trend	2019–20
Frontline	National Vehicles of Interest System	7,672,305	6,223,497	7,672,305	7,605,016
Criminal intelligence	Australian Criminal Intelligence Database	368,608	241,517	961,995	241,517

**Table 2.17**

Table 2.17: System records held (page 60) incorrectly reported the number of records held for the NVOI as 3,941,384.

This total only incorporated data from the first three quarters of 2019–20. The correct total for 2019–20 was 3,976,966.

The error did not alter the performance result, because the total was still within 5 per cent of the total for the previous year.

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## List of abbreviations

ACC Act	<i>Australian Crime Commission Act 2002</i>
ACIC	Australian Criminal Intelligence Commission
ACID	Australian Criminal Intelligence Database
ACLEI	Australian Commission for Law Enforcement Integrity
AFIN	Australian Firearms Identification Network
AFP	Australian Federal Police
AIC	Australian Institute of Criminology
APOT	Australian Priority Organisation Target
APS	Australian Public Service
ASIC	Aviation Security Identification Card
BIS	Biometric Identification Solution
CACT	Criminal Assets Confiscation Taskforce
CEO	Chief Executive Officer
EL	Executive Level
GST	goods and services tax
ICT	information and communications technology
IGC-ACC	Inter-Governmental Committee on the Australian Crime Commission
IT	information technology
MSIC	Maritime Security Identification Card
NCIDD	National Criminal Investigation DNA Database
NCIS	National Criminal Intelligence System
NPCS	National Police Checking Service
NVOI	National Vehicles of Interest System
OMCG	outlaw motorcycle gang
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013</i>
RPOT	Regional Priority Organisation Target
SES	Senior Executive Service
SME	small and medium-sized enterprise
WHS	work health and safety

# Glossary

**Availability (of systems)**—The percentage of time systems were available, excluding scheduled outages. We provide our systems nationally to multiple agencies. Many of our systems are integrated or routed via partner agency systems, meaning issues unrelated to our service can also affect availability. As a result, we derive national availability reporting from user notifications of outages across multiple jurisdictions.

**Coercive powers**—The ACIC has coercive powers similar to those of a royal commission, which may be exercised only by ACIC examiners for special ACIC investigations or special ACIC operations. The powers allow the ACIC 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.

**Determination**—A decision by the ACIC Board to authorise the ACIC to undertake an intelligence operation or an investigation that may involve the use of coercive powers.

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

Disruption achieved by law enforcement is deemed to be either ‘severe’ or ‘significant’.

- ▶ **Severe disruption** is the dismantling and/or complete disruption of a serious and organised crime entity, with the cessation of its serious and organised crime activities.
- ▶ **Significant disruption** involves significant impacts caused by arrests, seizures (of drugs, cash or assets), tax liabilities raised, and any other disruptive effects on a serious and organised crime entity, without the cessation of its serious and organised crime activities.

**Estimated street value**—The cost to purchase a drug at the end of the supply chain or ‘on the street’, estimated by considering factors such 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 operational areas of the ACIC and partner agencies.

**Examination**—A method of gathering evidence performed by ACIC examiners. 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.

**Examiners**—Independent statutory officers, who are experienced legal practitioners, who may exercise the ACIC’s coercive powers for the purposes of a special ACIC investigation or a special ACIC operation.

**Federally relevant criminal activity**—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 if the ACIC's interest in the state offence is incidental to ACIC operations/ investigations relating to Commonwealth or territory offences.

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

**Proceeds of crime**—The profits of criminal activity. Legislation provides for these proceeds to be controlled, confiscated and potentially forfeited to the Commonwealth to discourage criminal activity and to prevent reinvestment in further criminal activity.

**Serious and organised crime**—As defined in the *Australian Crime Commission Act 2002*, an offence that involves 2 or more offenders, substantial planning and organisation, and the use of sophisticated methods and techniques, that is committed (or of a kind that is ordinarily committed) in conjunction with other offences of a like kind, and is punishable by imprisonment for 3 or more years.

**Special ACIC investigations**—ACIC investigations 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 ACIC operations**—ACIC operations focused on gathering intelligence around particular criminal activity so that 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 whether a special investigation is warranted.

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