



AUSTRALIAN
**CRIMINAL
INTELLIGENCE
COMMISSION**



2020–21

CHAIR ANNUAL REPORT

BOARD OF THE AUSTRALIAN CRIMINAL INTELLIGENCE COMMISSION



Contact details

This report and more information about the ACIC are available at <www.acic.gov.au>.

To request information about this annual report or the ACIC, please contact:

Director, Strategy, Communication and Reporting
Australian Criminal Intelligence Commission
GPO Box 1936, Canberra City ACT 2601

Phone: 02 6268 7343

Email: <media@acic.gov.au>

Web: <www.acic.gov.au>

Facebook: <www.facebook.com/ACIC>

Twitter: <www.twitter.com/acicgovau>

Publication details

© Commonwealth of Australia 2022



Except for the Commonwealth Coat of Arms, all material in this publication is provided under a Creative Commons Attribution 4.0 International (CC BY 4.0) licence: <creativecommons.org/licenses/by/4.0/>. This licence applies only to material as set out in this document.

The details of the relevant licence conditions are available on the Creative Commons website, as is the full legal code for the CC BY 4.0 AU licence: <creativecommons.org/licenses/by/4.0/legalcode>.

The terms under which the Coat of Arms can be used are detailed on the *It's an Honour* website: <www.pmc.gov.au/government/its-honour>.

ISSN: 2209-3729 (print)

ISSN: 2209-3737 (online)

Letter of transmittal



Attorney-General

23 September 2022

The Hon Mark Dreyfus KC MP
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

On behalf of the Chair of the Board of the Australian Criminal Intelligence Commission (ACIC), I present the *Board of the Australian Criminal Intelligence Commission Chair Annual Report 2020–21*.

The report has been prepared in accordance with section 61 of the *Australian Crime Commission Act 2002* (ACC Act), which requires the Chair of the ACIC Board to prepare a report on the agency's operations during the year as soon as practicable after 30 June.

Section 61(1) of the *Australian Crime Commission Act 2002* (ACC Act), requires the Chair of the Board to furnish the report to the Inter-Governmental Committee on the Australian Crime Commission for transmission. This was completed out of session in July 2022. No comments on the report were received from the Committee.

In accordance with section 61(6) of the ACC Act, in my role as Chair of the Inter-Governmental Committee on the Australian Crime Commission, I hereby provide the report to the Commonwealth Minister and to the appropriate Minister of the Crown of each participating state.

The report is to be laid before each House of Parliament within 15 sitting day of that house, after receiving the report.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Dreyfus', written over a horizontal line.

THE HON MARK DREYFUS KC MP
Chair of the Inter-Governmental Committee on the Australian Crime Commission

Contents

| | |
|--|-----------|
| Section 1 Introduction | 1 |
| ▶ About the ACIC | 2 |
| ▶ About this report | 2 |
| ▶ Chair's review | 4 |
| Section 2 ACIC Board | 7 |
| ▶ Role | 8 |
| ▶ Membership | 8 |
| ▶ Meetings | 8 |
| ▶ Decisions | 10 |
| Section 3 Australia's criminal environment | 13 |
| ▶ Key characteristics | 14 |
| ▶ Key enablers | 15 |
| ▶ Key markets | 16 |
| Section 4 Investigations and operations | 21 |
| ▶ Board determinations | 22 |
| ▶ Qualitative results | 24 |
| ▶ Quantitative results | 35 |
| Section 5 Criminal intelligence delivery | 39 |
| ▶ Information and intelligence products | 40 |
| ▶ National policing information systems and services | 41 |
| Section 6 Legislative framework and legal actions | 51 |
| ▶ Legislative changes | 52 |
| ▶ Legislative reviews | 52 |
| ▶ Court proceedings | 53 |
| ▶ Judicial reviews | 55 |
| List of abbreviations | 57 |
| Index | 58 |



Introduction

| | |
|---------------------|---|
| ▶ About the ACIC | 2 |
| ▶ About this report | 2 |
| ▶ Chair's review | 4 |

Introduction

This report documents the operations of the Australian Criminal Intelligence Commission (ACIC) in 2020–21 as required under the *Australian Crime Commission Act 2002* (ACC Act).

About the ACIC

The purpose of the ACIC is to protect Australia from criminal threats through coordinating a strategic response and collecting, assessing and disseminating intelligence and policing information.

In 2020–21, the ACIC achieved this by:

- ▶ collecting, analysing and disseminating criminal intelligence
- ▶ sharing information to support police partners through our national policing information systems and services
- ▶ supporting employment and entitlement decisions through delivery of background checking services.

The ACIC is a statutory agency within the Home Affairs portfolio, enabling strong integration and joint activities across the portfolio for a safer and more secure Australia.

About this report

This report by the Chair of the ACIC Board documents the operations of the ACIC as required under section 61 of the ACC Act. This report is presented to the Australian Government Minister for Home Affairs and the appropriate minister of each state and territory via the Inter-Governmental Committee established under section 8 of the ACC Act.

The separate annual report by the ACIC Chief Executive Officer (CEO) fulfils the reporting requirements for government agencies under the *Public Governance, Performance and Accountability Act 2013*. It includes information about the ACIC's progress against the purpose and performance criteria set out in the portfolio budget statements and corporate plan, details of the agency's structure and staffing, and audited financial statements.

By producing separate reports, the Chair and the CEO are able to concisely address the requirements of the respective legislation. Both reports are publicly available at <www.acic.gov.au/publications/annual-reports>.

Table 1.1 sets out the annual report requirements of the ACC Act and shows where they are addressed in this report. The board does not have its own staff or budget, so there are no financial statements to present.

Table 1.1: Guide to compliance with reporting requirements of the *Australian Crime Commission Act 2002*

| Information required under section 61(2) | Location in this report |
|---|--|
| (a) a description of any special ACC investigations undertaken during the year | Section 4 Investigations and operations |
| (b) a description, which may include statistics, of any patterns or trends, and the nature and scope, of any criminal activity that have come to the attention of the ACC during that year in performance of its functions | Section 3 Australia's criminal environment |
| (c) any recommendations for changes in the laws of the Commonwealth, of a participating State or of a Territory, or for administrative action, that, as a result of the performance of the ACC's functions, the Board considers should be made | Section 6 Legislative framework and legal actions |
| (d) the general nature and the extent of any information furnished by the CEO during that year to a law enforcement agency | Section 4 Investigations and operations Section 5 Criminal intelligence delivery |
| (da) the general nature and the extent of any information disclosed by the CEO during that year to a body corporate under section 59AB | Section 5 Criminal intelligence delivery |
| (e) the extent to which investigations by the ACC have resulted in the prosecution in that year of persons for offences | Section 4 Investigations and operations Section 6 Legislative framework and legal actions |
| (ea) the extent to which investigations by the ACC have resulted in confiscation proceedings | Section 4 Investigations and operations Section 6 Legislative framework and legal actions |
| (g) particulars of the number and results of: <ul style="list-style-type: none"> (ii) applications made to the Federal Court or the Federal Circuit and Family Court of Australia (Division 2) under the <i>Administrative Decisions (Judicial Review) Act 1977</i> for orders of review in respect of matters arising under this Act; and (iii) other court proceedings involving the ACC; being applications and proceedings that were determined, or otherwise disposed of, during that year | Section 6 Legislative framework and legal actions |

Chair's review

During 2020–21, the ACIC remained focused on its strategic objectives: to be the criminal intelligence partner of choice, provide comprehensive policing information to its partners, keep the community safe, and deliver a sustainable agency into the future.

I would like to acknowledge the dedicated staff who contributed to the success of the ACIC during another challenging 12 months. The agency continued to respond to the COVID-19 pandemic with great agility while delivering its core functions and making a meaningful contribution to the national COVID-19 response.

Criminal intelligence delivery

The ACIC continued to deliver insights on the highest-level transnational serious and organised crime threats impacting Australia, including by:

- ▶ discovering new information relating to its special ACIC investigations and special ACIC operations through coercive examinations
- ▶ maintaining the Australian Priority Organisation Target (APOT) list of offshore criminal targets
- ▶ sharing 14,419 information and intelligence products among 271 stakeholders, including national and international law enforcement partners
- ▶ releasing 4 reports to the public—the *Illicit Drug Data Report 2018–19*, and 3 reports from the National Wastewater Drug Monitoring Program.

The ACIC plays a critical role in bringing partners together to build operational strategies and coordinate disruption activities. The agency contributed to 61 disruptions by partner law enforcement agencies during the year. The disrupted entities included 12 APOT networks, of which 3 were disrupted to the point that they are no longer considered APOT-level threats.

The ACIC's work with law enforcement partners led to the seizure of drugs and precursor chemicals with an estimated street value of more than \$1.35 billion, illicit tobacco with an estimated excise value of \$42.55 million, and more than \$66.20 million in cash.

In addition, the ACIC made 5 financial referrals to partners, including the Criminal Assets Confiscation Taskforce (CACT), in relation to 8 criminal entities with a combined estimated value of offending of \$48.19 million.

National policing information systems and services

The ACIC provided and maintained 11 national policing information systems and services to help its partners prevent, detect and reduce crime in the Australian community. This included delivering close to 40 million National Police Reference System searches and supporting more than 95,000 positive data match fingerprint identifications and 78 crime scene ballistics matches.

The National Criminal Intelligence System (NCIS) continued to progress, becoming available to law enforcement partners for use in active operations for the first time in March 2021. This important national capability provides secure access to a national view of criminal intelligence and information, and supports the collation and sharing of criminal intelligence and information nationally.

National Police Checking Service

The National Police Checking Service remains a key activity for the ACIC. The agency delivers world-class background checking services to support employment or entitlement decisions. During 2020–21, the service processed more than 6.20 million nationally coordinated criminal history checks.

Looking ahead

I look forward to continuing my work as Chair in the coming year, as the ACIC continues to focus on making Australia hostile to criminal exploitation. I am confident in the ACIC's ability to protect Australia from criminal threats through coordinating a strategic response and collecting, assessing and disseminating intelligence and policing information.



Reece Kershaw APM
Chair

Board of the Australian Criminal Intelligence Commission
18 May 2022





ACIC Board

This section of the report describes the role and composition of the ACIC Board and provides a summary of key activities and changes in 2020–21.

Role

The ACIC Board is established under section 7B of the ACC Act and has a range of functions as set out in section 7C of the Act. The functions include:

- ▶ determining priorities for national criminal intelligence and national policing information systems and services
- ▶ providing strategic direction and determining the priorities for the ACIC
- ▶ authorising, by determination, special ACIC investigations and special ACIC operations to occur
- ▶ establishing task forces
- ▶ disseminating strategic criminal intelligence assessments
- ▶ making recommendations about expenditure and fees for national policing information services
- ▶ determining policies and conditions for providing nationally coordinated criminal history checks and disclosing national policing information
- ▶ reporting to the Inter-Governmental Committee on the ACIC's performance.

Membership

The board is chaired by the Commissioner, Australian Federal Police, and comprises the heads of a number of Commonwealth, state and territory law enforcement bodies and national security and regulatory agencies, as set out in section 7B(2) of the ACC Act. The CEO of the ACIC is a non-voting member of the board.

During 2020–21, the ACIC Board farewelled Mr James Shipton, who joined the board in his capacity as Chair, Australian Securities and Investments Commission, in 2018. Mr Joseph Longo was appointed as Chair, Australian Securities and Investments Commission, on 1 June 2021.

The CEO of the Australian Transaction Reports and Analysis Centre (AUSTRAC) and the Secretary of the Commonwealth Attorney-General's Department attend board meetings as non-voting observers. On 17 December 2020, Mr Iain Anderson replaced Mr Chris Moraitis PSM as the observer representing the Commonwealth Attorney-General's Department.

Meetings

Under section 7D of the ACC Act, the board is required to meet at least twice a year. The board met 4 times in 2020–21. Table 2.1 provides details of board members and their attendance.

Table 2.1: Attendance at board meetings 2020–21

| | Position | Occupant | Attendance | | | |
|---------------|---|------------------------|----------------|------------------|---------------|--------------|
| | | | 28 July 2020 | 2 September 2020 | 17 March 2021 | 16 June 2021 |
| Chair | Commissioner, Australian Federal Police | Reece Kershaw APM | ✓ | ✓ | ✓ | ✓ |
| | Secretary, Department of Home Affairs | Michael Pezzullo AO | ✓ | ✓ | ✓ | ✓ |
| Other members | Commissioner, Australian Border Force (Comptroller-General of Customs) | Michael Outram APM | ✓ | ✓ | ✓ | ✓ |
| | Chair, Australian Securities and Investments Commission | James Shipton | ✓ | ✓ | ✓ | – |
| | | Joseph Longo | – | – | – | ✓ |
| | Director-General of Security, Australian Security Intelligence Organisation | Mike Burgess | ✓ | ✗ | ✓ | ✓ |
| | Chief Police Officer, ACT Policing | Neil Gaughan APM | ✓ | ✓ | ✓ | ✓ |
| | Commissioner, New South Wales Police Force | Michael Fuller APM | ✓ | ✓ | ✓ | ✓ |
| | Commissioner, Northern Territory Police Force | Jamie Chalker APM | ✓ | ✗ | ✓ | ✓ |
| | Commissioner, Queensland Police Service | Katarina Carroll APM | ✓ | ✓ | ✓ | ✓ |
| | Commissioner, South Australia Police | Grant Stevens APM | ✗ | ✓ | ✓ | ✓ |
| | Commissioner, Tasmania Police | Darren Hine AO, APM | ✓ | ✓ | ✓ | ✓ |
| | Chief Commissioner, Victoria Police | Shane Patton APM | ✓ | ✓ | ✗ | ✓ |
| | Commissioner, Western Australia Police Force | Chris Dawson APM | ✓ ^a | ✗ | ✗ | ✓ |
| | Chief Executive Officer, Australian Criminal Intelligence Commission | Michael Phelan APM | ✓ ^b | ✓ | ✓ | ✓ |
| | Commissioner of Taxation, Australian Taxation Office | Chris Jordan AO | ✗ | ✓ | ✓ | ✗ |
| Observers | Secretary, Attorney-General's Department | Chris Moraitis PSM | ✗ | ✗ | – | – |
| | | Iain Anderson (acting) | – | – | ✗ | ✗ |
| | Chief Executive Officer, Australian Transaction Reports and Analysis Centre | Nicole Rose PSM | ✗ | ✓ | ✓ | ✓ |

^a Mr Dawson was unavailable; the acting Commissioner, Western Australia Police Force, attended in his place.

^b Mr Phelan was unavailable; the acting Chief Executive Officer, Australian Criminal Intelligence Commission, attended in his place.

Note: A dash indicates a meeting that took place outside the occupant's term of appointment.

Decisions

The board considers a range of issues at each meeting, including strategic issues faced by the ACIC, the overall performance of key areas of ACIC work, and key areas of new work that the ACIC should pursue.

Among its key decisions in 2020–21, the board:

- ▶ 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
- ▶ authorised, by determination in writing, a new suite of special ACIC investigations and special ACIC operations to occur, in line with the board’s continual assessment of the ACIC’s strategic priorities
- ▶ 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 future arrangements for NCIS
- ▶ reviewed the National Policing Information Systems and Services Special Account revenue and the 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*.





S3

Australia's criminal environment

| | |
|-------------------------------|----|
| Key characteristics | 14 |
| Key enablers | 15 |
| ▶ Technology | 15 |
| ▶ Professional facilitation | 15 |
| ▶ Money laundering | 15 |
| ▶ Identity crime | 15 |
| ▶ Violence and intimidation | 16 |
| ▶ Public sector corruption | 16 |
| Key markets | 16 |
| ▶ Illicit commodities | 16 |
| ▶ Financial crime | 18 |
| ▶ Transnational crime markets | 19 |

Australia's criminal environment

The ACIC fuses and analyses the intelligence that it gathers, along with intelligence feeds from partner agencies, to build up a strategic national picture of serious and organised criminal activities in Australia. This section of the report highlights key unclassified findings on the nature, scope, trends and patterns of criminal activity.

Key characteristics

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 Australian Institute of Criminology 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, such as the COVID-19 pandemic.
- ▶ **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. The ACIC has adapted in response, to continue to target them and share timely and relevant intelligence and information with its partners.

Key enablers

Enablers are activities (which may be crimes themselves) or capabilities that underpin and contribute to the effectiveness of serious and organised crime. While not all of the key enablers described here are present in every illicit market, 2 or more enablers may be used concurrently within the same criminal enterprise.

Technology

Most serious and organised crime activities make use of technology and digital infrastructure. Examples include technology-enabled identity crime and fraud in the areas of banking, trade and superannuation.

The ability to target individuals remotely from any location in the world is attractive to serious and organised crime groups who use technology to target the financial sector or trade illicit goods via the dark web. The rapid uptake of new capabilities such as encrypted communication devices and applications is a challenge for law enforcement.

Through the use of online platforms and services, child sexual exploitation and abuse are becoming more prevalent, commodified and organised. Offenders increasingly use technological means to commit acts of exploitation and abuse such as grooming children and distributing child abuse material.

Professional facilitation

The role of professional facilitators of criminal activity, such as legal, real estate and accounting professionals and other business services providers, including registered migration agents and education agents, is a fundamental issue for law enforcement and regulatory agencies. In an increasingly complex global environment, criminals engage a range of professional facilitators to commit crimes, avoid detection and conceal assets.

Money laundering

Money laundering is a significant enabler of criminal activity and a potentially lucrative criminal enterprise in itself. Money laundering is an extremely diverse activity, with a significant international dimension, carried out at all levels of sophistication.

Identity crime

As well as being one of the most common types of crime committed in Australia, identity crime is an enabler of other significant criminal activities, including money laundering, financial crime, drug trafficking and fraud.

There is a growing trend towards commissioning identity crime online through the production and sale of identity documentation and fraudulent use of personal information.

The true extent of identity crime is difficult to quantify, due to under-reporting, discrepancies in cross-jurisdictional reporting, and instances where identity theft is undetected.

Violence and intimidation

Violence and intimidation underpin serious and organised criminal activity in various ways. For example, they may be used to extort financial gain, to coerce people or businesses into facilitating or undertaking criminal activity, or to control drug networks and settle disputes.

Most violence involving organised crime occurs between criminal groups, rather than being directed at the general public. Due to under-reporting it is difficult to determine the exact nature and extent of harm caused through the use of violence and intimidation by serious and organised crime groups.

Public sector corruption

Exploitation of the public sector by serious and organised crime groups weakens the instruments of government and strengthens criminal networks, undermining the community's confidence in government and public officials.

Areas most at risk include bodies responsible for procurement, across all levels of government; frontline agencies such as police, customs and border protection; and any agencies responsible for dispensing government funding without established anti-corruption practices.

There is limited evidence of serious and organised criminal involvement in public sector corruption in Australia.

Key markets

Australia is 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 crime and intellectual property crime.

Illicit commodities

Serious and organised criminal activity is endemic in Australian markets for illicit commodities, particularly drugs, tobacco and firearms.

The illegal importation, manufacture and distribution of harmful drugs in Australia generates billions of dollars in profits for organised criminal groups. The Australian illicit drug market is highly lucrative, with growing demand for a wide variety of substances, as described in Table 3.1.

Table 3.1: Key substances in the Australian illicit drug market 2020–21

| Substance | Market characteristics |
|--------------------------------|--|
| Cannabis | Serious and organised crime (SOC) groups are well established in the Australian cannabis market, although they do not dominate it. The market is robust and profitable. Almost all cannabis consumed in Australia is cultivated domestically. The latest report of the National Wastewater Drug Monitoring Program (NWDMP) shows that average consumption of cannabis in regional areas exceeds average consumption in capital cities. During the period of COVID-19 restrictions (which commenced in parts of Australia in March 2020), cannabis consumption reached record high levels in capital cities (in June 2020) and regional areas (in August 2020). During 2020–21, average consumption decreased in both capital cities and regional areas. |
| Cocaine | All cocaine in Australia is imported from source countries in South America. A range of SOC groups import cocaine, through many different transshipment points. The latest NWDMP report shows that cocaine consumption is decreasing in both capital cities and regional areas. This was the case for most of 2020–21. Average consumption of cocaine in capital cities exceeds average consumption in regional areas. |
| Hallucinogens and anaesthetics | While the markets for hallucinogens and anaesthetics do not rival the major illicit drug markets, they do have a tangible SOC presence and show signs of expansion. The related markets of GHB, GBL and 1,4-BD involve multi-tonne importations and substantial diversion from legitimate industrial uses. ^a All 3 substances feature in poly-drug use with substances such as methylamphetamine. The ketamine market is also a concern, due to ketamine's links to poly-drug use with other illicit stimulants and the very large market for ketamine which exists in northern Asia. Ketamine is both illicitly imported and diverted domestically from the medical and veterinary sectors. |
| Heroin | All heroin in Australia is imported, and almost all of it originates in South-East Asia. A range of SOC groups are involved in the importation and distribution of heroin. Following record high levels of consumption in capital cities in August 2020, heroin consumption has decreased in both capital cities and regional areas. Capital city average consumption exceeds regional average consumption. The wastewater data show no evidence of a tangible displacement of consumption from the heroin market to the pharmaceutical opioid market. |
| Illicit pharmaceutical opioids | Pharmaceuticals commonly misused in Australia include opioid-based pain relief medications, opioid substitution drugs, benzodiazepines, pregabalin and codeine. The NWDMP monitors the consumption of 2 pharmaceutical opioids—fentanyl and oxycodone—with data reflecting both licit and illicit use. Consumption of fentanyl and oxycodone has been trending down since December 2018. The latest NWDMP report shows that record low levels of consumption of fentanyl were recorded in regional areas in April 2021 and in capital cities in June 2021, and consumption of oxycodone reached record low levels in regional areas in April 2021. Regional average consumption exceeds capital city average consumption. |
| MDMA ^b | SOC groups are involved in the importation, domestic manufacture (to a limited extent) and distribution of MDMA in Australia. Most MDMA that is imported into Australia is sourced in Europe. The latest NWDMP report shows that average consumption of MDMA decreased in both capital cities and regional areas in 2020–21. Regional average consumption generally exceeds capital city average consumption, but this changed in April 2021. |
| Methylamphetamine | Numerous SOC groups are involved in the importation, domestic manufacture and distribution of methylamphetamine in Australia. Methylamphetamine causes disproportionate harm in Australia because there is strong and resilient demand for the drug in both capital city and regional areas. The latest NWDMP report shows that, of the illicit drugs for which dose data are available, methylamphetamine is the most consumed illicit drug in Australia by some margin. ^c The report also shows that, following the record low consumption reported in August 2020 in both capital city and regional areas, consumption has increased, but has not returned to pre-COVID levels. Regional average consumption generally exceeds capital city average consumption. |

Table 3.1: Key substances in the Australian illicit drug market 2020–21 (continued)

| Substance | Market characteristics |
|---------------------------------------|---|
| New psychoactive substances | SOC groups have limited influence in the market for new psychoactive substances. These substances have similar chemical structures to, or mimic the effects of, other illicit drugs and have been available in Australia since the mid-2000s. Hundreds of these substances are introduced to the market each year, and many feature for only short periods of time. Through the surface web and the dark web, the internet is used extensively for buying, selling and sharing information on these substances. The market is highly reactive, appearing to change in response to user preferences and to changes in other drug markets, and does not rival the traditional drug markets in terms of use or size. |
| Performance and image enhancing drugs | Users from an increasingly diverse demographic are consuming a wide range of performance and image enhancing drugs (PIEDs). SOC groups are involved in the importation and manufacture of PIEDs, but do not dominate the market. The market for PIEDs is significantly linked to the markets for illicit stimulants and illicit pharmaceuticals. In this market, the role of professional facilitators such as doctors and pharmacists is a major concern. There is potential for growth in the market as the substances are used increasingly to enhance personal image (as well as performance). |
| Precursor chemicals | Precursor chemicals are essential for illicit drug production, and the diversion and trafficking of precursor chemicals is a profitable enterprise in itself. Precursor chemicals can be diverted from a range of sources, including the legitimate chemical industry, the scientific supply industry, the transportation and logistics industry, or medical facilities and pharmacies. SOC groups dominate the sophisticated end of this market and large importations of precursor chemicals have been detected in recent years. This market has potential to increase as the domestic manufacture of drugs forms part of the business model of sophisticated SOC groups. |

a GHB is the chemical gamma hydroxybutyrate, also known as ‘liquid ecstasy’. GBL (gamma butyrolactone) and 1,4-BD (1,4-butanediol) are closely related chemicals that convert to GHB when ingested.

b MDMA is the chemical 3,4-methylenedioxymethamphetamine, also known as ‘ecstasy’.

c Dose data are available for methylamphetamine, amphetamine, cocaine, MDMA, heroin, mephedrone, methylone, oxycodone, fentanyl, nicotine and alcohol. Reliable dose figures are not available for cannabis or MDA (3,4-methylenedioxyamphetamine).

Note: The latest NWDMP report, Report 14, was released in October 2021.

Some serious and organised crime groups capitalise on the demand for multiple drug types by importing, cultivating, manufacturing or trafficking several drug types simultaneously. Serious and organised crime is also entrenched in the illicit tobacco market, through the illegal importation of tobacco products and the local production of illicit tobacco.

While Australia has some of the strongest firearm controls in the world, illicit firearms remain a desirable commodity and a significant enabler of criminal activity. Members of organised crime groups, including outlaw motorcycle gangs (OMCGs), use firearms for criminal purposes, but the nature and extent of firearms trafficking by these groups remains an intelligence gap. The ACIC conservatively estimates that there are approximately 260,000 firearms in the domestic illicit market, including 250,000 long arms and 10,000 handguns.

Financial crime

Financial crimes are diverse in their nature and scale, and in the level of harm they cause. Financial crime markets include cybercrime, investment and financial market fraud, revenue and taxation fraud, superannuation fraud, card fraud, and health and welfare fraud.

The expansion of serious and organised crime into the financial sector poses a significant risk to the integrity of the Australia’s economy, financial markets, regulatory frameworks and revenue collection.

Transnational crime markets

Among the crime markets that transcend national boundaries, the following present a particular threat to the Australian community and Australia's national security interests:

- ▶ **Online sexual exploitation and abuse of children**—Technological advances are enabling the commodification and industrialisation of this crime. Offenders increasingly use anonymising tools such as end-to-end encryption to conceal offending behaviour, network as groups, and share tools and methodologies to facilitate abuse. The uptake of digital and mobile technologies by children and young people significantly increases their exposure to the risk of online sexual exploitation and abuse.
- ▶ **Human trafficking and slavery**—This is a global concern, and the mass movement of refugees and migrants in recent years has escalated the threat. Under-reporting is endemic within this crime type, but increased awareness and outreach programs are likely to have contributed to increasing referrals to law enforcement for these offences.
- ▶ **Visa and migration fraud**—Serious and organised crime groups exploit the Australian visa and migration system, engaging the services of professional facilitators to enable entry into Australia.
- ▶ **Intellectual property crime**—Piracy and counterfeiting are serious international issues. The main forms of intellectual property crime in Australia are the importation of counterfeit goods such as clothing and the domestic manufacture of goods that infringe copyright.
- ▶ **Environmental crime**—This is diverse in nature and encompasses several crime markets. Transnational organised crime syndicates and opportunistic individuals exploit these markets, which are characterised by high profit margins and low detection rates.
- ▶ **Money laundering**—Organised criminals use professional money laundering syndicates to conceal the illicit nature of funds sourced from criminal activities which distort financial markets.
- ▶ **Cybercrime**—Cybercrime covers a wide variety of offences that present a significant threat to Australians, including identity crime, computer hacking, phishing, botnet activity, computer-facilitated crime, and cyber intrusion directed at private and national infrastructure.



Investigations and operations

| | |
|------------------------------------|----|
| Board determinations | 22 |
| ▶ Special powers | 23 |
| ▶ Task forces | 24 |
| Qualitative results | 24 |
| ▶ Cybercrime | 25 |
| ▶ Financial crime | 26 |
| ▶ Firearms | 28 |
| ▶ Gangs | 28 |
| ▶ Illicit drugs | 29 |
| ▶ National security and terrorism | 31 |
| ▶ Emerging organised crime threats | 32 |
| ▶ High-risk criminal targets | 33 |
| ▶ Visa and migration fraud | 34 |
| ▶ Transnational criminal threats | 35 |
| Quantitative results | 35 |

Investigations and operations

This section summarises the aims, approaches and results of the special ACIC investigations, special ACIC operations and task force activities that the ACIC undertook to pursue criminal intelligence priorities and combat transnational criminal threats in 2020–21.

Board determinations

Subject to authorisation by the ACIC Board in line with section 7C of the ACC Act, the ACIC may conduct:

- ▶ **Special ACIC investigations**—investigations designed to reduce the incidence and effect of specified serious and organised crime activity (including through disruption and prevention) by collecting evidence and intelligence about criminal activity
- ▶ **Special ACIC operations**—operations (which may contain an investigative component) focused on gathering intelligence around particular criminal activity so that response decisions can be informed by an improved understanding of the extent, impact and threat of that activity.

Special ACIC investigations and special ACIC operations are authorised by written determination. Table 4.1 lists the special ACIC investigations and special ACIC operations that operated under board determinations in 2020–21.

Table 4.1: Board-approved special ACIC investigations and special ACIC operations 2020–21

| Authorisation/determination | Type | Date established |
|--|----------------------------|------------------|
| 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 |

Note: Special investigations and special operations established on 13 June 2018 expired on 12 June 2021.

Special powers

Where the Board has authorised a special ACIC investigation or special ACIC operation to occur, ACIC examiners, who are independently appointed statutory office holders, may exercise coercive powers under Division 2 of the ACC Act for the purpose of that special ACIC investigation or special ACIC operation. The coercive powers allow an examiner to summon a person to give evidence at an examination and compel them to answer the questions asked of them. Examiners may also require a person to produce documents or things.

Division 2 also empowers an examiner to request or require information from Commonwealth agencies and, where arrangements are in place, certain state agencies.

A range of ancillary processes enable the ACIC examiner to secure compliance with the summons. These include court-issued warrants for the arrest of a person to ensure that the person attends an examination, and court orders for the production of an examinee’s passport.

Additionally, eligible persons—that is, ACIC examiners or members of the staff of the ACIC who are also constables—may apply for search warrants to search for things relevant to a special ACIC investigation or a special ACIC operation that is occurring, in circumstances where there is a risk that the item or document would be concealed, lost, mutilated or destroyed if a summons to produce it were issued.

Task forces

The evidence and intelligence gathering activities of special ACIC investigations and special ACIC operations are informed by, and contribute to, the work of task forces that support collaboration between partners seeking to disrupt criminal enterprises through intelligence-led responses.

The board approves the partner agencies which may nominate staff to participate in an ACIC task force. The partner agency participants are members of the staff of the ACIC for the purposes of the board-established task forces, and work collaboratively within the framework of each task force to achieve its objectives.

Three board-established task forces operated in 2020–21, as shown in Table 4.2.

Table 4.2: Board-established task forces at 30 June 2021

| 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 |

In June 2021, the National Criminal Intelligence System User and Support Task Force ceased operating, and the board extended the operations of National Task Force Morpheus and the Transnational Criminal Intelligence Task Force (Vestigo Task Force) to 30 June 2024.

Qualitative results

In 2020–21, the special ACIC investigations and special ACIC operations focused on the following priority areas of criminal threats affecting Australia:

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

Across all priority areas, a key focus is working with international and domestic partners to disrupt the transnational activities of serious and organised crime targets either based offshore or with strong offshore links, to reduce their impact on Australia.

This section describes the roles and activities of the special ACIC investigations and special ACIC operations in 2020–21. The ACIC's *Annual Report 2020–21* contains additional details on the agency's achievements in priority areas, including comparisons with previous reporting periods.

Cybercrime

Cyber-related offences include cybercrime and cyber-enabled crime. Cybercrime encompasses crimes committed through the use of computers and associated technology that primarily target computers and computer networks and systems, such as computer hacking, phishing, botnet activity, ransomware and cyber intrusion directed at private or public infrastructure. Cyber-enabled crime encompasses traditionally offline offences that have been transformed or are facilitated through the use of technology, such as identity crime.

Cyber-Related Offending special operations

The Cyber-Related Offending No. 2 and Cyber-Related Offending 2020 special operations were current during 2020–21. ACIC work under these operations provides support to the lead agencies in cybercrime.

In 2020–21, the ACIC discovered and prioritised cybercrime threats to Australia, improved understanding of the criminal networks behind those threats, and supported government response strategies by working closely with law enforcement, intelligence and industry security partners in Australia and internationally. This included:

- ▶ developing intelligence products on the threat of ransomware to Australian organisations, malware, phishing campaigns, and cybercrime threats associated with COVID-19 vulnerabilities such as vaccines and superannuation
- ▶ working with national, state and territory government agencies to identify ransomware victims and the roles of intermediaries
- ▶ identifying cybercriminals operating in or targeting Australia, and disseminating that intelligence to law enforcement agencies.

To meet a critical need among law enforcement, policy and intelligence partners, the ACIC developed a criminal strategic assessment on how the COVID-19 vaccine rollout could be exploited by cybercriminals. The assessment included intelligence on how cybercriminals target the Australian public, potential threats to the vaccine supply chain, and elements to be considered in mitigating the impact of cybercrime on the rollout.

Australian Cyber Security Centre

The ACIC cybercrime intelligence team is co-located at the Australian Cyber Security Centre (ACSC), a multiclassification, multipurpose facility that allows for collaboration and coordination of activities across the Australian Government's efforts to improve cybersecurity in Australia.

The ACSC annual cyber threat report for 2019–20 was released on 3 September 2020. This joint report by the ACIC, the ACSC and the Australian Federal Police (AFP) is the first unclassified annual cyber threat report to be released since the ACSC became part of the Australian Signals Directorate in July 2018. It outlines key cybercrime and cyber security activity and provides important information about emerging cybercrime threats impacting sectors of the Australian economy. It includes best practice mitigation advice for implementation by individuals and organisations aiming to reduce the likelihood and impact of malicious cyber activity.

Financial crime

Almost all organised crime is motivated by profit. The ACIC helps to remove the financial motivation to engage in criminal activity by:

- ▶ investigating financial crime and developing intelligence products that better inform the response to financially motivated criminal activity
- ▶ identifying new serious and organised crime targets affecting Australia
- ▶ facilitating the recovery of proceeds of crime, by contributing to the CACT
- ▶ facilitating the identification of and response to financially motivated criminal activity, by contributing to the Serious Financial Crime Taskforce (SFCT)
- ▶ participating in other task forces to enhance the integrity of the financial system in Australia, including the Phoenix Taskforce and the Black Economy Taskforce, led by the Australian Taxation Office (ATO), and the Fintel Alliance, led by AUSTRAC.

Targeting Criminal Wealth special investigations

The Targeting Criminal Wealth No. 3 and Targeting Criminal Wealth 2020 special investigations were current during 2020–21. Their purposes were to:

- ▶ collect, correlate and analyse criminal information and intelligence relating to criminal wealth activity, disseminate it in accordance with the ACC Act, and report on it to the ACIC Board
- ▶ identify entities involved in criminal wealth activity, collect evidence about that activity, and facilitate the apprehension and, if appropriate, the prosecution of such entities (including through the referral of information to other bodies)
- ▶ reduce the incidence and effect of criminal wealth activity (including any adverse impacts on Australia's national interests), including through
 - disruption and prevention
 - making the markets, sectors, infrastructure and capabilities exploited by criminal wealth activity more resilient to such activity
- ▶ make appropriate recommendations to the board and other bodies about reform of
 - the law relating to relevant offences
 - relevant administrative practices
 - the administration of the courts in relation to trials of relevant offences.

During 2020–21, the ACIC produced intelligence products that focused on methodologies that were emerging during the COVID-19 pandemic and resultant shifts by serious and organised crime entities. Also, insights were produced on the use of cryptocurrency and emerging fintech products being used to launder the proceeds of crime.

Through the special investigations, the ACIC identified 25 new serious and organised crime targets impacting Australia, and made relevant referrals to partners. Examples of disruptive results based on ACIC intelligence included:

- ▶ members of an accused crime syndicate being charged with defrauding the National Disability Insurance Scheme and the Child Care Subsidy
- ▶ a business being suspended and a target being arrested for utilising cryptocurrency in money laundering
- ▶ quantities of illicit drugs being seized, including 32.57 kilograms of methylamphetamine and 4.95 kilograms of MDMA.

Financial referrals

The ACIC's ability to identify wealth that has been accumulated illegally and have it recovered, through referral to CACT and other relevant authorities, is an effective means to remove the financial incentive to engage in criminal activity.

CACT is a Commonwealth initiative dedicated to taking the profit out of crime by targeting criminals and their assets derived from unexplained wealth. The task force is led by the AFP and includes the ACIC and the ATO. The ACIC's contribution involves intelligence gathering, analysis and legal support; strategic advice on illicit money flows impacting Australia; and help with prioritising criminal targets for proceeds of crime action.

Results of ACIC referrals on financial matters are detailed in Table 4.3.

Table 4.3: Financial referrals

| Detail | 4-year historical average | 2020–21 |
|------------------------------------|---------------------------|----------------|
| Referrals | 18 | 5 ^a |
| Entities involved | 121 | 8 |
| Estimated value of offending (\$m) | 74.71 | 48.19 |

^a The decline in the number of referrals reflects a shift in operational strategy.

Serious Financial Crime Taskforce

The SFCT is a Commonwealth multiagency task force led by the ATO. It brings together the knowledge, resources and experiences of federal law enforcement and regulatory agencies, including the ACIC.

The SFCT conducts operations, collects and shares intelligence, and identifies reform measures, with the aim of removing wealth from criminal activity, prosecuting facilitators and promoters of serious financial crime, and deploying deterrent and preventative enforcement strategies. The ACIC provides the task force with unique operational powers and additional investigative resources.

The SFCT's remit is to identify and address serious and complex financial crimes of the highest priority, such as international tax evasion, fraudulent phoenix-type activity, criminality related to offshore service providers and trusts, and cybercrime against superannuation. In 2020–21, the ACIC assisted SFCT investigations targeting serious and organised crime involvement in these areas.

Firearms

The trafficking and importation of illicit firearms are serious concerns for Australia. The ACIC addresses illicit firearms through:

- ▶ selectively investigating firearm trafficking offences, with other agencies, and collecting intelligence on those matters
- ▶ providing information and intelligence to support the development of government policy
- ▶ hosting national firearms databases
- ▶ delivering the National Firearm Trace Program.

Through the Firearm Trafficking No. 2 and Firearm Trafficking 2020 special operations, the ACIC worked with partners to bring together and develop intelligence to inform the national response to firearm trafficking during 2020–21.

In 2020–21, the ACIC focused on the completion of the Australian Firearms Information Network (AFIN) integration project. The 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 ACIC responded to more than 900 trace requests under the National Firearm Trace Program in 2020–21. The ACIC also produced intelligence to improve understanding of:

- ▶ interstate disposition of stolen firearms, spanning data from 2004 to 2021
- ▶ the current state of the illicit firearms market in Victoria.

A criminal operations assessment authored by the ACIC was finalised and disseminated to law enforcement and government agencies in July 2020, summarising the firearm trace statistics for 2019–20. The summary identifies methods of diversion to the illicit market and informs regulatory responses. A redacted version was developed in August 2020 to inform international discussions by the Department of Foreign Affairs and Trade.

Gangs

Criminal gangs are highly visible crime entities, with a presence in all Australian states and territories and overseas. They are resilient, opportunistic and involved in a wide range of serious crimes, including drug trafficking, money laundering, extortion, firearms offences and high-level violence. The resistance of OMCGs to Australian and offshore law enforcement requires a coordinated multiagency effort that includes the use of innovative responses and ACIC coercive powers.

The ACIC works with partners to respond to the escalating threats of OMCGs in Australia by coordinating an intelligence-led response to OMCGs, linking strategic understanding of the national picture with intelligence that supports operational and tactical responses.

Relevant intelligence that the ACIC develops, including through special operations, is shared through National Task Force Morpheus and informs response strategies and future initiatives to tackle OMCGs.

Outlaw Motor Cycle Gangs special operations

The Outlaw Motor Cycle Gangs No. 2 and Outlaw Motor Cycle Gangs 2020 special operations work with partners in law enforcement and other government agencies to combat the activities of OMCGs. The ACIC uses its ability to uncover criminal activity and gain insights into the structure and activities of OMCGs to better inform and direct the responses of law enforcement agencies.

In 2020–21, the ACIC targeted criminal gangs by:

- ▶ discovering targets and risks through data sharing and analytics
- ▶ leading and coordinating national intelligence collection and sharing
- ▶ building the collective understanding of OMCGs and other gangs
- ▶ leading the Australian Gangs Intelligence Coordination Centre
- ▶ providing and coordinating intelligence and information for National Task Force Morpheus.

National Task Force Morpheus

Established by the ACIC Board, National Task Force Morpheus is a joint initiative of all Australian law enforcement agencies, Australian Government partners and New Zealand Police to collaboratively target the highest OMCG risks to Australia.

National Task Force Morpheus is coordinated through the ACIC and supported by targeted and business-as-usual activities of state and territory police, Australian Government agencies and New Zealand Police, using both traditional and non-traditional law enforcement methods.

In 2020–21, the task force's achievements included:

- ▶ 6,344 arrests, 124 summonses and court attendance notices, and 12,629 charges
- ▶ the seizure of 927 firearms and \$32.09 million in cash.

Illicit drugs

The illicit drug trade poses significant socioeconomic and health risks to the Australian public and is the activity in which the vast majority of the highest-risk organised crime groups are primarily engaged.

The social burden that illicit drugs place on the community, and the long-term health consequences of their use, led to the development of the Australian Government's *National Drug Strategy*. The ACIC contributes to meeting the goals of the strategy by:

- ▶ improving understanding of illicit drug markets and identifying organised crime groups and criminal entrepreneurs that operate in those markets, to allow effective targeting and disruption by law enforcement agencies
- ▶ providing subject matter expertise, intelligence and advice to better inform policies and legislation at the state and national levels

- ▶ developing intelligence products that identify market trends and new methodologies being employed and vulnerabilities being exploited by organised crime groups, and recommending responses that harden the operating environment for those groups
- ▶ providing intelligence to inform operational activity targeting illicit drugs
- ▶ engaging with and informing industry of threats posed to legitimate commerce by organised crime groups.

High Risk and Emerging Drugs special operations

The High Risk and Emerging Drugs No. 4 and High Risk and Emerging Drugs 2020 special operations were current during 2020–21.

Through the special operations, the ACIC monitored illicit drug markets to develop a comprehensive understanding of the markets and domestic and international developments that impact Australia. This included identifying and addressing intelligence gaps and working with partners on operational, policy and legislative responses.

The ACIC completed examinations and generated operational and strategic intelligence reports in relation to new domestic methods of methylamphetamine manufacture and the use of new precursor chemicals. This contributed to an enhanced national understanding of the changing threat and informed discussions about regulatory and legislative reform.

The ACIC produced intelligence products to improve understanding of:

- ▶ drug consumption during the COVID-19 pandemic
- ▶ the threat posed by non-medical use of pharmaceuticals, including counterfeit pharmaceuticals
- ▶ diversion of pharmaceuticals by criminal groups
- ▶ potential vulnerabilities in the medical and healthcare sectors
- ▶ the domestic manufacture of methylamphetamine and potential shifts in manufacturing methodology.

In particular, strategic and operational assessments were produced by the ACIC and widely shared on such diverse topics as new methodologies and chemicals used to manufacture methylamphetamine and other drugs, chemicals that are being diverted to support illicit drug manufacture, new types of pharmaceuticals that have abuse potential, and methodologies that are being used to transport drugs and cash across Australia. Additional assessments identified persons and corporate entities that are implicated in domestic and international drug trafficking, including the roles played by professional facilitators such as health professionals.

ACIC intelligence focused and informed the responses of national and international police and government agencies to the importation and distribution of drugs within Australia. This intelligence spanned illicit drugs including cocaine, methylamphetamine and MDMA; drug precursor chemicals; the illicit pharmaceuticals market; the performance and image enhancing drugs market; and the heroin market.

Examples of disruptive results based on ACIC intelligence included:

- ▶ the interception of a person of interest and seizure of approximately 200 kilograms of cocaine from a container ship en route to Sydney
- ▶ the arrest of 7 individuals and seizure of a range of assets in relation to an attempt to import cocaine into Australia from Papua New Guinea.

National Wastewater Drug Monitoring Program

The ACIC's National Wastewater Drug Monitoring Program conducts wastewater analysis to provide leading-edge, coordinated national research and intelligence on the consumption of licit and illicit drugs. The program released 3 reports in 2020–21, in October 2020 and February and June 2021.

The ACIC not only produces unique data on drug consumption through the program, but also informs targeting and resource allocation decisions and monitors in near real-time the effectiveness of particular responses to drug threats. Wastewater analysis enables the ACIC to provide detailed and unique advice to response agencies on drug threats in regional areas of Australia.

During the COVID-19 pandemic, the ACIC has also leveraged its unique access to timely consumption data to brief law enforcement and policy partners on the impact of the pandemic on illicit drug markets and the national response to COVID-19.

National security and terrorism

The methods, professional facilitators and enablers of criminal financing, money laundering, illicit border movements, identity crime and secure communication that are used by serious and organised crime groups can also be exploited to pose threats to national security.

The ACIC provides a unique perspective on the evolving threats and risks posed by serious and organised crime groups within the national security environment. Through its intelligence gathering and sharing capabilities at the national and international levels, the ACIC is better informing its partners and improving the understanding of criminal threats to Australia. The ACIC contributes to the whole-of-government response by participating in national strategies to strengthen national security and counter-terrorism.

The National Security Impacts from Serious and Organised Crime No. 3 and National Security Impacts from Serious and Organised Crime 2020 special operations contribute intelligence and operational support to whole-of-government national security efforts where a nexus with serious and organised crime has been identified. The ACIC's intelligence holdings and capabilities, including examinations, are brought to bear to create unique insights and support the national security efforts of partners.

In 2020–21, the ACIC:

- ▶ provided insights to national security and law enforcement partners on the nexus between serious and organised crime and national security at the entity, activity and environment levels

- ▶ assisted partner agencies to collect intelligence to support the mapping of criminal relationships among entities associated with groups of national security concern
- ▶ developed intelligence insights supporting partner agency activities aimed at improving resilience against exploitation of markets, sectors, infrastructure and capabilities by criminal groups of national security interest.

Emerging organised crime threats

Serious and organised crime threats affect Australia's society, institutions, markets and economy. To combat such emerging threats requires a coordinated and collaborative approach involving many law enforcement agencies and other government partners.

The Emerging Organised Crime Threats No. 3 and Emerging Organised Crime Threats 2020 special operations utilise the ACIC's coercive powers to gain special insights into how criminal networks operate, informing the coordinated response to emerging threats to Australia.

The special operations aim to identify and understand a broad spectrum of serious and organised crime threats and enablers that impact upon Australia. They work to guide the activities and response strategies of Commonwealth, state and territory government agencies through the timely provision of intelligence, information sharing, and effective, collaborative working relationships.

In 2020–21, this included working with government and law enforcement agencies to:

- ▶ identify previously unknown criminals operating in or targeting Australia, and disseminate that intelligence to law enforcement agencies
- ▶ use coercive powers to discover and improve understanding of fraud methodologies, professional facilitators and potential threats to government-funded programs and schemes
- ▶ develop an improved strategic understanding of the methodologies that organised crime groups use to enable fraudulent access to government agencies
- ▶ use ACIC capabilities to understand the organised crime market involvement in and use of dedicated encrypted communications devices
- ▶ understand the capacity of organised criminal groups to increase their resilience to law enforcement investigations
- ▶ develop intelligence products to identify and improve understanding of
 - the low-risk, high-reward criminal enterprise of the Australian illicit tobacco market
 - sports integrity risks and insights, such as threats to and vulnerabilities in the Australian wagering industry, and Australian insights on gender and betting
 - the organised sexual exploitation of children and offender methodologies
 - organised fraud against government welfare packages
 - the criminal encrypted communications market, including the impact of Operation Ironside.

Examples of the application of ACIC intelligence on emerging threats included:

- ▶ providing unique insights to optimise the success of Operation Ironside, a covert operation led by the AFP that involved the management of a dedicated encrypted communications platform
- ▶ developing a criminal strategic assessment on the Australian illicit tobacco market that detailed how the low risk and high profitability of the market increase the difficulty of detection and disruption efforts.

High-risk criminal targets

Serious and organised crime entities at the highest level of risk are present in all Australian states and territories and exert significant influence over Australia's illicit commodity markets.

While the COVID-19 pandemic has challenged criminal groups, they have adapted and remain sophisticated, flexible and resilient. They drive Australia's illicit drug and illicit money markets, invest in enablers such as encrypted communications, and corrupt officials and economic sectors. The ongoing threat requires a coordinated and prioritised national response, with extensive international cooperation.

The Highest Risk Criminal Targets No. 3 and Highest Risk Criminal Targets 2020 special investigations were current during 2020–21. The special investigations are designed to collect and analyse intelligence, and inform evidence collection, in order to disrupt the criminal activities of high-risk criminal targets and make the markets, sectors, infrastructure and capabilities that they use more resistant to exploitation.

The main approach of these special investigations is to bring domestic and international partners together in collaboration, enhanced by the ACIC's unique capabilities, to reduce the impact of serious and organised crime on Australia. This work is focused through the APOT strategy, an ACIC-led initiative to identify, assess and designate the high-risk and priority national and transnational serious and organised crime targets that pose the greatest threat to Australia's interests, and coordinate and direct the collaborative response to those targets.

In 2020–21, the ACIC's 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 in 2020–21, compared to zero in 2019–20 and 3 in 2018–19.

By developing intelligence products and disseminating them to improve the understanding of the way high-risk criminal targets impact Australia, the ACIC helped to inform policy, legislation and capability development. During 2020–21, strategic and operational intelligence assessments on key seizure events, criminal involvement with encrypted communication platforms, and offshore criminals impacting Australia were produced and shared with national and international law enforcement partners.

Visa and migration fraud

Serious and organised crime groups are involved in exploiting legislative gaps and operational systems for visa and migration fraud, to facilitate criminal activities.

International travel to and from Australia was significantly disrupted by COVID-19 during 2020–21. This limited the opportunities for exploitation of the visa and migration system. However, the use of visa and migration fraud persisted and organised crime groups continued to make use of individuals whose entry into Australia was enabled through visa and migration fraud. As travel restrictions ease, the level of fraud will increase correspondingly, as will the use of this fraud by organised crime groups.

Through the Criminal Exploitation of Australia's Migration System No. 2 and Criminal Exploitation of Australia's Migration System 2020 special operations, the ACIC developed innovative approaches to prevent, disrupt and mitigate visa and migration fraud activities. ACIC work in this area is conducted in partnership with the AFP, the Department of Home Affairs, the Australian Border Force and state police agencies.

In 2020–21, the ACIC focused on identifying and understanding the threat posed to Australia by organised crime groups exploiting the visa system as an enabler for illicit drug distribution, money laundering and unlicensed sexual services. The ACIC identified:

- ▶ an organised crime group using visa fraud to bring related individuals to Australia, where those individuals supported the organised crime group in drug trafficking and money laundering activity
- ▶ criminal groups using visa fraud to bring foreign citizens to Australia to undertake low-level money laundering and drug cultivation activities
- ▶ an organised crime group using foreign workers in labour hire arrangements to support money laundering activity
- ▶ a network of licensed and unlicensed brothels using foreign sex workers who entered Australia through professionally facilitated visa fraud.

A significant feature of visa and migration fraud related to organised crime is the involvement of facilitators who are participants in legitimate migration-related industries, such as migration agents and migration lawyers, education agents and providers, marriage celebrants, notaries, and justices of the peace. While the majority of industry participants are legitimately supporting legal migration to Australia, organised crime groups continue to seek opportunities to enter or exploit legitimate industries to facilitate criminal activity.

Links between visa and migration fraud and possible human trafficking, sexual servitude or labour exploitation continue to be of concern. The ACIC works with lead agencies in this space through intelligence reporting and assessments where potential links are identified.

Transnational criminal threats

The ACIC works with domestic and international partner agencies to identify and leverage strategic opportunities to create a more hostile environment for transnational serious and organised crime impacting Australia.

The ACIC's operational focus on the highest-threat transnational targets and sources of crime affecting Australia involves:

- ▶ updating and assessing the APOT list, which can include top-tier international and transnational serious and organised crime targets impacting Australia
- ▶ facilitating effective information sharing and relationship building to target transnational crime with domestic and international partners, through the Vestigo Task Force and the APOT Disruption Unit
- ▶ expanding and using international intelligence feeds, through international deployments and close collaboration with partners.

The ACIC leads the Vestigo Task Force, which was established by the ACIC Board and provides a framework for Australian and international partners to enhance their collaboration and engagement and share information and intelligence.

Rather than consisting of a particular program of work, the Vestigo Task Force acts as an enabler for collaborative work across various investigations and operations. This means that the task force's results are incorporated within and reflected throughout the intelligence-led outcomes that the ACIC has achieved with partners.

Quantitative results

Table 4.4 summarises the results of the special ACIC investigations and special ACIC operations in 2020–21 against a range of measures related to the ACIC's objectives as detailed in its *Corporate Plan 2020–21*.

The ACIC's *Annual Report 2020–21* contains additional statistics on the agency's achievements in these areas, including comparisons with previous reporting periods.

Table 4.4: Quantitative results of special ACIC investigations and special ACIC operations 2020–21

| Authorised activities | | Historical ^a | Special investigation | | Special operation | | | | | |
|--------------------------------------|---------------------------|-------------------------|-----------------------|--------|-------------------|------|--------|-------|--------|------|
| | | HRCT | TCW | CEAMS | CRO | EOCT | FT | HRCT | NSISOC | OMCG |
| Coercive powers | Exams | – | 40 | 30 | – | – | 19 | – | 40 | 6 |
| | Notices | – | 29 | 20 | – | – | 84 | – | 19 | 1 |
| | Products ^b | 4 | 31 | 24 | – | – | 33 | 4 | 22 | 8 |
| Intelligence products | Analytical | 8 | 47 | 28 | 2 | 11 | 26 | 4 | 17 | 1 |
| | Tactical | 141 | 701 | 226 | 10 | 27 | 380 | 294 | 198 | 22 |
| Disseminations | Analytical | 207 | 847 | 435 | 37 | 356 | 469 | 41 | 302 | 2 |
| | Tactical | 399 | 3,643 | 862 | 75 | 302 | 1,943 | 3,129 | 720 | 61 |
| | Stakeholders ^c | 92 | 170 | 130 | 43 | 199 | 205 | 53 | 124 | 22 |
| Identified criminality | Unknown ^d | – | 16 | 24 | – | – | 131 | – | 15 | – |
| | Known ^e | – | 2 | 1 | – | – | 2 | – | 3 | – |
| Disruptions | Severe | – | 2 | 1 | – | – | – | – | – | – |
| | Significant | – | 20 | 7 | – | – | 15 | – | 13 | – |
| Seizures (\$m) | Cash | – | 27.54 | 5.88 | 0.02 | – | 30.47 | – | 1.10 | – |
| | Drugs ^f | – | 818.40 | 278.55 | 1.35 | – | 116.34 | – | 134.81 | – |
| | Tobacco ^g | – | 19.50 | – | – | – | 23.04 | – | – | – |
| Arrests and convictions ^h | Charges | – | 234 | 57 | 5 | 2 | 161 | – | 86 | – |
| | Persons ⁱ | – | 74 | 26 | 1 | 1 | 60 | – | 33 | – |
| | Convictions | – | 5 | 5 | – | – | – | – | 2 | – |

CEAMS = Criminal Exploitation of Australia's Migration System, CRO = Cyber-Related Offending, EOCT = Emerging Organised Crime Threats, FT = Firearm Trafficking, HRCT = Highest Risk Criminal Targets, HRED = High Risk and Emerging Drugs, NSISOC = National Security Impacts from Serious and Organised Crime, OMCG = Outlaw Motor Cycle Gangs, TCW = Targeting Criminal Wealth

a Additional disseminations, of a previously finalised and disseminated product, that occur after a project has closed.

b Intelligence products derived from use of coercive powers.

c Stakeholders that received a dissemination.

d Previously unknown criminal.

e Known criminal operating in a previously unknown area of criminality.

f Estimated street value.

g Estimated tax excise value.

h There was also 1 person and 3 charges under a non-determination project.

i Persons charged.





Criminal intelligence delivery

| | |
|--|----|
| Information and intelligence products | 40 |
| ▶ Publications | 40 |
| ▶ Strategic assessments | 40 |
| ▶ Strategic and operational insights | 41 |
| National policing information systems and services | 41 |
| ▶ Frontline services | 41 |
| ▶ Biometric and forensic services | 44 |
| ▶ Protection services | 45 |
| ▶ Checking services | 46 |
| ▶ Criminal intelligence systems and databases | 48 |

Criminal intelligence delivery

This section describes the intelligence products, systems and services that the ACIC delivered in 2020–21 to enhance national understanding of the serious and organised crime environment and inform immediate and longer-term collaborative responses.

Analysis of the agency's performance against benchmarks for criminal intelligence delivery is included in the ACIC's *Annual Report 2020–21*.

Information and intelligence products

During 2020–21, the ACIC shared information and intelligence products with 271 national and international law enforcement partners and other stakeholders. This included 2,911 analytical intelligence products and 11,508 tactical intelligence products. 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.

Under circumstances as defined in section 59AB of the ACC Act, the ACIC disclosed information to 7 private sector bodies, on a total of 15 occasions. A range of information or intelligence products were disclosed to sporting entities.

Publications

Much of the intelligence gathered by the ACIC is classified and shared only with partner agencies. However, the ACIC engages with private industry to share its understanding of the threat picture and releases unclassified information to the public to help prevent crime or harden the environment against serious and organised crime threats.

The ACIC released 4 publicly available reports in 2020–21:

- ▶ The ACIC's *Illicit Drug Data Report 2018–19* was released in September 2020. It is the 17th edition of the report and includes arrest, detection, seizure, purity, profiling and price data.
- ▶ The National Wastewater Drug Monitoring Program, a key initiative in establishing an objective evidence base on illicit drug use and the levels of use of a number of legitimate substances, released 3 reports: Report 11 in October 2020, Report 12 in February 2021, and Report 13 in June 2021.

Strategic assessments

The ACIC's strategic assessments provide board member agencies and other relevant agencies with assessments of criminal issues of national significance, across crime types and markets. These products support and influence a range of intelligence, operational and response decisions, and inform government consideration of future strategies, including policy development.

In 2020–21, the ACIC produced strategic assessments on a range of issues, including:

- ▶ the Australian illicit tobacco market
- ▶ tax crime enablers
- ▶ the Australian encrypted criminal communications market
- ▶ cryptocurrency money laundering.

Strategic and operational insights

The ACIC's strategic and operational insights products provide new insights into serious and organised crime threats, groups, vulnerabilities, methodologies and markets. These products reflect key strategic observations and learnings from ACIC and partner intelligence and investigations, often gathered using coercive powers or covert capabilities.

Intended for stakeholders with an in-depth understanding of the organised crime environment, strategic insights products provide decision-makers with a quick understanding of changes or emerging issues or threats. They inform and influence appropriate operational, regulatory and policy responses.

In 2020–21, the ACIC's strategic and operational insights included issues such as:

- ▶ the impact of COVID-19 on a range of crime types
- ▶ ransomware extortion tactics
- ▶ exploitation of unregulated betting platforms
- ▶ changes in the Australian heroin market.

National policing information systems and services

The ACIC provides national criminal information and intelligence services to police officers and other accredited users on a daily basis, to keep them, and the Australian community, safe. The ACIC does this by bringing together essential law enforcement information from around the country and making it accessible to all Australian police and wider law enforcement agencies.

These services are specifically designed to equip police with the information they need to investigate, solve and prevent crimes. This vital information improves decision-making and contributes to a safer Australia. The ACIC conducts regular audits to ensure that only authorised users who require access to its systems have that access.

Frontline services

Frontline services enable police agencies to share essential policing information with each other in relation to persons of interest, vehicles, firearms and ballistics. This can assist them to undertake a broad range of community policing activities and criminal investigations.

National Police Reference System

The National Police Reference System (NPRS) equips police with the knowledge they need to make on-the-spot decisions when dealing with persons of interest. It is available to more than 75,000 police officers, investigators and analysts across Australia, enabling them to share essential national policing information.

The system provides key national reference data such as names, identity information, criminal history (charges and convictions), photographs, and information on warnings, warrants, wanted persons, and firearms. This information is accessible from handheld devices, in-car terminals and desktop computers (via system-to-system interfaces or graphical user interfaces).

Table 5.1 summarises key statistics for the NPRS in 2020–21.

Table 5.1: National Police Reference System statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|--------------|------------------------|----------------|------------|--------------|
| Availability | 99.50% | n.a. | 99.88% | n.a. |
| Users | n.a. | 71,390 | 54,375 | ↓ |
| Searches | n.a. | 36,054,268 | 39,998,855 | ↑ |

n.a. = not applicable

National Firearms Identification Database

The National Firearms Identification Database sets uniform national standards for the identification of firearms registered within Australia.

The database is a reference tool that enables police to identify and characterise a firearm using descriptors such as make, model, calibre and magazine capacity. It assists police to ensure that firearms are recorded consistently during registration, importation or transfer of ownership and movement across state and territory borders.

Table 5.2 summarises key statistics for the database in 2020–21.

Table 5.2: National Firearms Identification Database statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|--------------------|------------------------|----------------|---------|--------------|
| Availability | 96.00% | n.a. | 100.00% | n.a. |
| Users ^a | n.a. | 45 | 266 | ↑ |
| Searches | n.a. | 25,287 | 58,329 | ↑ |

n.a. = not applicable

^a The database does not have an individual user login. User statistics are based on IP address.

Australian Ballistic Information Network

The Australian Ballistic Information Network assists police across Australia to identify ballistics data to link crimes, firearms and suspects. It helps police to electronically match crime scene ballistic evidence to the firearm used, or to link crimes where the same firearm or its components have been used at multiple scenes. This system builds on existing ballistic libraries that operate in several states and territories.

Table 5.3 summarises key statistics for the network in 2020–21.

Table 5.3: Australian Ballistic Information Network statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|-----------------------|------------------------|----------------|---------|--------------|
| Availability | 95.00% | n.a. | 100.00% | n.a. |
| Users | n.a. | 112 | 104 | ↓ |
| Searches | n.a. | 3,194 | 4,362 | ↑ |
| Positive data matches | n.a. | 76 | 78 | ↔ |

n.a. = not applicable

Australian Firearms Information Network

AFIN has replaced the National Firearms Licensing and Registration System, allowing for improved information sharing, a contemporary user interface and enhanced software capabilities.

The ACIC successfully completed the integration of all police partners with AFIN during 2020–21. The Department of Home Affairs and the Australian Border Force have also integrated with AFIN.

Integration provides each law enforcement partner with near real-time access to the full historical data holdings in the system. This allows them to work with other partners to contribute to and share national records of the life cycles of all registered firearms in Australia.

Table 5.4 summarises key statistics for AFIN in 2020–21.

Table 5.4: Australian Firearms Information Network statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|--------------|------------------------|----------------|---------|--------------|
| Availability | 99.00% | n.a. | 99.96% | n.a. |
| Users | n.a. | 726 | 463 | ↓ |
| Searches | n.a. | 141,399 | 331,445 | ↑ |

n.a. = not applicable

National Vehicles of Interest System

The National Vehicles of Interest System enables police to record and search for local or interstate vehicles that may be stolen or suspicious. System users can also enquire about vehicle component information, national vehicle registration and description information, and national driver licence information provided by the National Exchange of Vehicle and Driver Information System hosted by Austroads (the peak organisation of Australasian road transport and traffic agencies).

Table 5.5 summarises key statistics for the system in 2020–21.

Table 5.5: National Vehicles of Interest System statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|-----------------------|------------------------|----------------|-----------|--------------|
| Availability | 99.00% | n.a. | 99.65% | n.a. |
| Users | n.a. | 16,593 | 27,338 | ↑ |
| Searches ^a | n.a. | 6,974,847 | 7,204,805 | ↔ |

n.a. = not applicable

a In 2019–20, the number of searches was incorrectly shown as 6,223,497, omitting searches conducted after the system was migrated to a new server. The correct total was 7,605,016.

Biometric and forensic services

Biometric and forensic services help police to solve crimes through biometric systems, including fingerprint and DNA systems, and assist police to identify missing persons, human remains and disaster victims.

National Automated Fingerprint Identification System

Australian police use the National Automated Fingerprint Identification System (NAFIS) to identify individuals from their fingerprints or palm prints. The system helps police to solve crimes by matching crime scene evidence to persons of interest. It enables near real-time uploads of prints from crime scenes, helping police to identify suspects in minutes. The Department of Home Affairs also uses the system, to support Australia's migration program.

In September 2020, the ACIC completed the NAFIS Hardware Stabilisation Project. The project included upgrading the hardware and software of all NAFIS workstations at partner agencies, and upgrading and expanding server capacity. The benefits for system users include greatly increased processing capacity, better management of processing at peak times, and significantly reduced outage times.

The project provided the ACIC with the confidence that the current system will provide capability well into the future, in line with the projected delivery time of its replacement. The ACIC is working with partner agencies to develop the new version of the system, NAFIS NextGen. This will ensure that fingerprint identification capability used by all police partner agencies continues to be supported while delivering increased efficiencies for partner agency staff.

Table 5.6 summarises key statistics for NAFIS in 2020–21.

Table 5.6: National Automated Fingerprint Identification System statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|-----------------------|------------------------|----------------|-----------|--------------|
| Availability | 99.50% | n.a. | 99.85% | n.a. |
| Users | n.a. | 702 | 919 | ↑ |
| Searches | n.a. | 1,549,727 | 1,020,282 | ↓ |
| Positive data matches | n.a. | 97,839 | 95,127 | ↔ |

n.a. = not applicable

National Criminal Investigation DNA Database

The National Criminal Investigation DNA Database holds samples of DNA profiles collected by Australian police from crime scenes, convicted offenders, suspects and volunteers. It helps police to solve crimes and eliminate innocent people as suspects, by linking DNA profiles from crime scenes with DNA profiles from persons of interest and other crime scenes.

The database also holds DNA profiles from missing persons, family members of missing persons and unknown human remains. In 2020, the ACIC implemented a new capability in the database to use DNA to link family relationships, to facilitate quick identification of disaster victims and help resolve missing persons cases. The software solution draws on a commercial software product used around the world and is tailored to manage the complex policy and legislative differences between Australian jurisdictions.

Table 5.7 summarises key statistics for the database in 2020–21.

Table 5.7: National Criminal Investigation DNA Database statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|-----------------------|------------------------|----------------|---------|--------------|
| Availability | 99.00% | n.a. | 99.93% | n.a. |
| Users | n.a. | 152 | 108 | ↓ |
| Positive data matches | n.a. | 101,410 | 106,220 | ↑ |

n.a. = not applicable

National Missing Persons and Victim System

The National Missing Persons and Victim System provides state and territory police with the ability to share information on long-term missing persons and unidentified human remains. Solving long-term missing persons cases can provide some degree of closure for families and friends. The system can match post-mortem and ante-mortem dental records and perform other advanced searches.

The system is also used by Australian and New Zealand police to identify the victims of disasters. Interpol uses the same software for disaster victim identification, and Australian teams are familiar with the Interpol system and processes. This approach makes it easier for countries to assist each other in the aftermath of a regional or global disaster.

Table 5.8 summarises key statistics for the system in 2020–21.

Table 5.8: National Missing Persons and Victim System statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|--------------|------------------------|----------------|---------|--------------|
| Availability | 96.00% | n.a. | 99.98% | n.a. |
| Users | n.a. | 720 | 859 | ↑ |

n.a. = not applicable

Protection services

Protection services assist police to find information on domestic violence orders, manage child sex offenders and identify child exploitation and abuse images.

National Child Offender System

The National Child Offender System helps police to protect the community by enabling them to uphold child protection legislation in their state or territory.

The system allows Australian police to record and share child offender information and directly enables police in each state and territory to manage key information to meet the requirements of the relevant child protection legislation. It includes the Australian National Child Offender Register and the Managed Person System.

During 2020–21, the National Child Offender System was available 99.95 per cent of the time (against a board-agreed benchmark of 99.50 per cent) and had 996 registered users.

Child Exploitation Tracking System

The Child Exploitation Tracking System provided a capacity for police agencies to identify child abuse material and thereby assist in identifying offenders as well as children at risk of sexual abuse and enable timely intervention strategies for victims. The system was a joint venture between the ACIC and the AFP.

The Child Exploitation Tracking System has not been used by police since 2019, due to its ageing technology. All police agencies have confirmed that the system is ready for decommissioning, which has been scheduled to commence in 2021–22. The AFP has replaced the system with a new application that will reside with the Australian Centre to Counter Child Exploitation.

During 2020–21, the Child Exploitation Tracking System was available 100 per cent of the time (against a board-agreed benchmark of 96 per cent) between 1 July 2020 and 31 March 2021, as it remained functionally operational on the ACIC's network infrastructure. The number of users of the Child Exploitation Tracking System was intentionally limited due to the nature of the work the system supports, to minimise the emotional impact on staff caused by explicit materials.

Court Portal

The ACIC's Court Portal provides magistrates courts and family courts in all Australian states and territories with read-only access to key information related to protection orders and domestic violence orders (DVOs) from the NPRS. The information is provided by the courts and provisioned into the NPRS by police agencies. In 2020–21, the system was used to conduct 1,234 searches for information related to protection orders and DVOs by the courts.

The Court Portal provides a national information-sharing capability in support of the National Domestic Violence Order Scheme. By ensuring that local courts can effectively manage DVOs in collaboration with the police, the portal contributes to the increased safety of victims of domestic violence and the wider community.

Checking services

Checking services enhance the safety of the community by providing timely and accurate information that helps organisations to make informed decisions about the suitability of applicants for a range of employment, registration, licensing and other entitlements.

National Police Checking Service

The National Police Checking Service (NPCS) is designed to assist employers and authorising bodies to make informed decisions about the suitability of staff and applicants. It is also used by police and ACIC-accredited bodies, including government agencies, private sector businesses and brokers, not-for-profit organisations, and screening units responsible for the assessment of people who apply to work with children or vulnerable people.

The ACIC is implementing ways to enhance the NPCS and improve delivery to meet current and future needs. This includes implementing critical updates and enhancements to the NPCS Support System.

Table 5.9 summarises key statistics for the NPCS in 2020–21.

Table 5.9: National Police Checking Service statistics

| Measure | Board-agreed benchmark | 4-year average | 2020–21 | Change (≥5%) |
|---|------------------------|----------------|-----------|--------------|
| Availability ^a | 99.00% | n.a. | 99.93% | n.a. |
| Timeliness of NPCS checks – standard check (completion within 10 business days) | 95.00% | n.a. | 92.57% | n.a. |
| Timeliness of NPCS checks – urgent check (completion within 5 business days) | 95.00% | n.a. | 88.29% | n.a. |
| Criminal history checks completed | n.a. | 5,328,650 | 6,200,475 | ↑ |

n.a. = not applicable

a In 2019–20, due to a data extraction error, the availability of this system was incorrectly shown as 99.65%. The correct result was 99.49%.

Working with Children Checks National Reference System

The Working with Children Checks National Reference System provides a centralised database for the sharing of negative notice decisions for Working with Children Card (WWCC) applicants between state and territory screening agencies. The system was developed in response to a recommendation made by the Royal Commission into Institutional Responses to Child Sexual Abuse in 2015.

Integration with the system enables screening agencies to view information on persons who have been denied a WWCC in other jurisdictions. Agencies can use the information, along with criminal history and risk assessment information, to vet WWCC applicants or to monitor current WWCC holders against future negative notice decisions.

At 30 June 2021, the Australian Capital Territory, South Australia, Tasmania and Western Australia had completed their integration with the system. The remaining states and territories are yet to integrate with the system, subject to resource availability and legislative requirements.

Criminal intelligence systems and databases

Criminal intelligence systems facilitate dissemination and sharing of criminal intelligence, including databases of intelligence holdings that can be accessed and analysed by approved users.

Australian Law Enforcement Intelligence Network

The Australian Law Enforcement Intelligence Network (ALEIN) is the secure extranet that provides a gateway for partners to access the ACIC's various intelligence databases and services. ALEIN is also a secure messaging channel for sharing criminal information and intelligence between Commonwealth, state and territory partners. During 2020–21, ALEIN had 4,224 registered users.

A project to replace ageing physical hardware in the network commenced in 2019 and is expected to be completed by the end of 2022.

Australian Criminal Intelligence Database

The Australian Criminal Intelligence Database (ACID) is Australia's national criminal intelligence and information system, as mandated in section 7A(a) of the ACC Act. ACID is more than 30 years old and will eventually be replaced by NCIS.

ACID provides 25 Commonwealth, state and territory law enforcement agencies and other regulatory authorities with the ability to securely share, collate and analyse criminal information and intelligence nationally. It contains intelligence collected and collated by the ACIC as well as intelligence uploaded by partners.

Table 5.10 summarises key statistics for ACID in 2020–21.

Table 5.10: Australian Criminal Intelligence Database statistics

| Measure | 4-year average | 2020–21 | Change (≥5%) |
|---------------------------|----------------------|---------------------|--------------|
| Availability ^a | 99.75% | 98.69% ^b | ↔ |
| Users | 2,515 | 2,252 | ↓ |
| Searches | 336,835 ^c | 278,908 | ↓ |

^a The Australian Criminal Intelligence Database and the Australian Law Enforcement Intelligence Network were merged in 2020–21. The availability results are the average of both systems.

^b In the ACIC's *Annual Report 2020–21*, the result for availability was shown as 98.72%. This discrepancy is due to a recent system update that has provided more accurate availability results.

^c 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.

National Criminal Intelligence System

The aim of NCIS is to strengthen criminal information and intelligence sharing across law enforcement agencies, jurisdictions and the criminal intelligence community. The new system will provide secure access to a national view of criminal intelligence and information, and support the collation and sharing of criminal intelligence and information.

NCIS will improve officer safety by providing a national view of crime that can be presented to frontline operations, providing targeted, timely, relevant, prioritised national policing information. It will include a consolidated national view of fact-based policing and incident information, tools for improved analytics and deconfliction between investigations, and alerts and indicators for entities and activities of interest.

The ACIC is the lead agency accountable and responsible for delivering NCIS, while the Department of Home Affairs has a key role in delivering the system's technical capability.

During 2020–21, NCIS went live nationally in an operational exposure phase, with all police agencies and the ACIC using the system. This allowed officers to evaluate the integrity of the data and to use the system under operational conditions, testing it against agency-specific policies and procedures.

Feedback from partner agencies on the potential of the system to help in day-to-day operational policing has been positive. Many examples have demonstrated that NCIS's search capabilities and national view of information efficiently and effectively provide the information that police and the ACIC need.

The valuable feedback gathered through ongoing collaboration with partner agencies is being used to improve NCIS ahead of the rollout to law enforcement officers planned for 2021–22.



Legislative framework and legal actions

| | |
|-------------------------|----|
| Legislative changes | 52 |
| Legislative reviews | 52 |
| Court proceedings | 53 |
| ▶ Criminal offences | 53 |
| ▶ Proceeds of crime | 54 |
| ▶ Contempt of the ACIC | 54 |
| ▶ Commercial litigation | 55 |
| Judicial reviews | 55 |

Legislative framework and legal actions

This section of the report provides a summary of legislative changes and legal actions involving the ACIC in 2020–21. It includes the outcomes of prosecutions, proceeds of crime actions and contempt cases arising from ACIC investigations, and judicial decisions on reviews of ACIC administrative decisions.

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) 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.

Legislative reviews

The ACIC makes submissions for legislative reform, participates in public inquiries and provides intelligence to partners to assist in the development and implementation of compliance regimes which close off opportunities for criminal exploitation.

On 11 September 2020, the ACIC appeared before the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity's inquiry into the integrity of Australia's border arrangements. At the hearing, the ACIC provided further context for evidence that the ACIC had provided to the Senate Legal and Constitutional Affairs Legislation Committee inquiry into the Transport Security Amendment (Serious Crime) Bill 2019.

On 10 March 2021, the ACIC appeared before the Parliamentary Joint Committee on Intelligence and Security's review of the Surveillance Legislation Amendment (Identify and Disrupt) Bill 2020. At the hearing, the CEO discussed the serious and organised crime operating environment and explained that the new powers in the Bill were crucial as they would allow the ACIC to tackle serious crime online in the same way as it is enabled to combat crime in the physical domain.

On 25 June 2021, the ACIC appeared before 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*. At the hearing, the ACIC discussed the terms of reference, including:

- ▶ the new streamlined process by which the ACIC Board determines to authorise the ACIC to undertake a special ACIC investigation or special ACIC operation
- ▶ whether the *Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2019* ensured the validity of, at that time, current, former and future special ACIC investigation and special ACIC operation determinations of the ACIC
- ▶ whether the legislation effectively achieved its aim of enabling the ACIC to continue to fulfil its statutory obligations without interruption.

Court proceedings

In 2020–21, the ACIC:

- ▶ was involved in prosecutions and proceeds of crime actions initiated by other government agencies, in which evidence and intelligence gathered by the ACIC led directly or indirectly to the proceedings
- ▶ initiated proceedings for contempt of the ACIC under section 34A of the ACC Act
- ▶ was a party to commercial litigation.

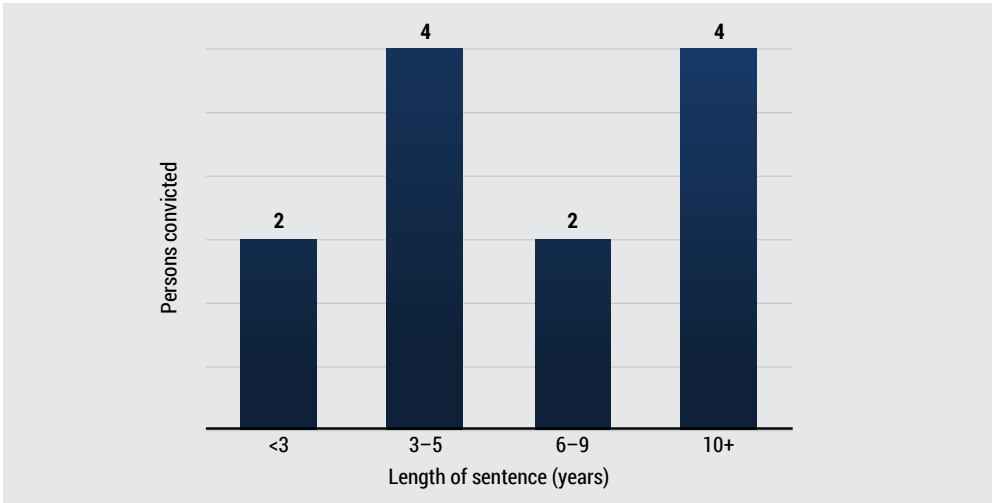
Criminal offences

In 2020–21, as a result of ACIC intelligence, law enforcement partners charged 198 people with criminal offences, laying a total of 558 charges. Recorded results for numbers of persons charged and charges laid were in line with the 4-year historical averages.

ACIC-related court results included convictions for offences related to Illicit drugs, firearms and money laundering. Twelve convictions were secured, including one conviction for an offence described in the ACC Act.

The sentencing outcomes of convictions related to ACIC intelligence are shown in Figure 6.1 (sentencing results include people charged in previous years).

Figure 6.1: Sentencing outcomes of convictions arising from ACIC intelligence 2020–21



Note: These results relate only to persons who appeared before a court for sentencing during 2020–21.

Proceeds of crime

In conjunction with its partners, the ACIC works to undermine the profitability of criminal enterprises. The *Proceeds of Crime Act 2002* provides for the proceeds of crime to be controlled, confiscated and potentially forfeited to the Commonwealth to discourage criminal activity and to prevent reinvestment in further criminal activity.

In addition, under equivalent state or territory legislation, state and territory partners may control, confiscate and recover proceeds of crime, based on ACIC intelligence.

Table 6.1 summarises the outcomes of law enforcement partners’ proceeds of crime activities that resulted from ACIC intelligence.

Table 6.1: Proceeds of crime outcomes arising from ACIC referrals 2020–21

| Type | Amount (\$m) |
|--------------------------|--------------|
| Restrained ^a | 8.17 |
| Confiscated ^b | 0.86 |
| Recoveries ^c | 26.89 |

a Assets are frozen or restrained due to a suspicion of criminal activity.

b Criminal involvement is confirmed and the court orders a defendant to pay money to the government or forfeit assets. This can be in the form of a forfeiture order, a pecuniary penalty order or a conviction-based forfeiture.

c Money obtained from the transfer of money or the sale of assets is paid to the government.

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

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. The indefinite period of detention continues.

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.

Commercial litigation

One commercial litigation proceeding involving the ACIC was finalised in 2020–21.

NEC Australia Pty Ltd (NEC) had commenced a proceeding against the Commonwealth (as represented by the ACIC) in the Supreme Court of Victoria, in respect of a contractual dispute. The dispute related to costs payable to NEC following the termination for convenience of a contract for the delivery by NEC of a biometric and forensic solution to the ACIC.

The court allowed the matter to be dealt with by way of a special reference conducted by an independent third-party industry expert. Following the conclusion of the special reference, the ACIC and NEC mutually resolved NEC's claim and executed a settlement deed on terms approved by the Attorney-General, with strict confidentiality provisions.

The proceeding was discontinued on 1 December 2020 with no order of costs. The required payment was made by the ACIC in accordance with the settlement deed on 11 December 2020.

Judicial reviews

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 judicial review applications or decisions that would have a significant effect on the operation of the ACIC.

Seven judicial review applications were commenced during 2020–21, challenging the issuing of summonses. Each matter was discontinued.

In 4 of those matters, and prior to the applicant discontinuing the substantive review proceedings, interlocutory injunction applications were dismissed by the court finding in the ACIC's favour. Those matters were:

- ▶ *EAZ20 v Anderson* [2020] FCA 1314
- ▶ *EMU20 v Anderson* [2020] FCA 1585
- ▶ *D1 v Commonwealth of Australia* (No 2) [2021] FCCA 817
- ▶ *D2 v Commonwealth of Australia* (No 2) [2021] FCCA 818.

In addition, 2 matters which were reported on in 2019–20 annual report were resolved during 2020–21. The final resolution of each of those matters is reported below.

CXXXVIII v Commonwealth of Australia & Ors

CXXXVIII (a court-ordered pseudonym) was granted special leave to appeal to the High Court from the Full Court of the Federal Court's decision in *CXXXVIII v Commonwealth of Australia* [2019] FCAFC 54 (itself an appeal from the first instance judgment of Judge Brown in *CXXXVIII v Australian Criminal Intelligence Commission & Anor* [2018] FCCA 2400). CXXXVIX (a court-ordered pseudonym) intervened before the High Court.

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 were granted leave to amend the grounds of appeal to challenge the validity of parts of those legislative amendments.

In August 2020, the summonses and notices issued to CXXXVIII and CXXXVIX were withdrawn. 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.

List of abbreviations

| | |
|---------|--|
| ACC Act | <i>Australian Crime Commission Act 2002</i> |
| ACIC | Australian Criminal Intelligence Commission |
| ACID | Australian Criminal Intelligence Database |
| ACSC | Australian Cyber Security Centre |
| AFIN | Australian Firearms Information Network |
| AFP | Australian Federal Police |
| ALEIN | Australian Law Enforcement Intelligence Network |
| APOT | Australian Priority Organisation Target |
| ASIC | Aviation Security Identification Card |
| ATO | Australian Taxation Office |
| AUSTRAC | Australian Transaction Reports and Analysis Centre |
| CACT | Criminal Assets Confiscation Taskforce |
| CEO | Chief Executive Officer |
| DVOs | domestic violence orders |
| MSIC | Maritime Security Identification Card |
| NAFIS | National Automated Fingerprint Identification System |
| NCIS | National Criminal Intelligence System |
| NEC | NEC Australia Pty Ltd |
| NPCS | National Police Checking Service |
| NPRS | National Police Reference System |
| OMCGs | outlaw motorcycle gangs |
| SFCT | Serious Financial Crime Taskforce |
| WWCC | Working with Children Card |

Index

A

- ACIC Strategic Direction 2021–25*, 10
- Administrative Appeals Tribunal, 52
- Administrative Decisions (Judicial Review) Act 1977*, 55
- Annual Report 2020–21*, 25, 35, 40
- arrests, 29, 31, 33, 36
- Attorney-General's Department, 8
- AusCheck Regulations 2017*, 52
- Australian Ballistic Information Network, 42–43
- Australian Border Force, 34, 43
- Australian Centre to Counter Child Exploitation, 46
- Australian Crime Commission Act 2002*, 2, 40, 48
 - annual report requirements, 2–3
 - board provisions, 8, 22
 - coercive powers provisions, 23–24
 - contempt provisions, 55
- Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2019*, 53
- Australian Crime Commission Regulations 2018*, 52
- Australian Criminal Intelligence Commission (ACIC)
 - Chief Executive Officer annual report, 2, 25, 35, 40
 - coercive powers, 23–24
 - contempt of, 54–55
 - corporate plan, 2, 35
 - judicial reviews involving, 55–56
 - legislative framework, 52–53
 - purpose, 2
 - strategic objectives, 4
 - strategic priorities, 10
- Australian Criminal Intelligence Commission Board
 - Chair annual report, 2
 - Chair's review, 4–5
 - decisions, 10
 - determinations, 10, 22–23
 - meetings, 8–9
 - membership, 8
 - National Policing Systems Subcommittee, 10
 - role and functions, 8
 - task forces, 24, 29, 35
- Australian Criminal Intelligence Database (ACID), 48
- Australian Cyber Security Centre, 25–26
- Australian Federal Police, 26, 27, 33, 34, 46
- Australian Firearms Information Network (AFIN), 28, 43

- Australian Gangs Intelligence Coordination Centre, 29
- Australian Law Enforcement Intelligence Network (ALEIN), 48
- Australian National Child Offender Register, 46
- Australian Priority Organisation Target (APOT) strategy, 33
 - APOT Disruption Unit, 35
 - APOT list, 4, 35
 - disruptions, 4, 33
- Australian Securities and Investments Commission, 8
- Australian Signals Directorate, 26
- Australian Taxation Office, 26, 27
- Australian Transaction Reports and Analysis Centre (AUSTRAC), 8, 26
- Austroads, 43
- Aviation Security Identification Card (ASIC), 52
- Aviation Transport Security Regulations 2005*, 52

B

- background checks, 5, 47, 52
- ballistics data matches, 5
- biometric services, 44
- Black Economy Taskforce, 26
- board *see* Australian Criminal Intelligence Commission Board

C

- cash seizures, 4, 29, 36
- Chair's review, 4–5
- checking services, 5, 46–47
- Chief Executive Officer annual report, 2 *see also* *Annual Report 2020–21*
- Child Exploitation Tracking System, 46
- child protection systems and services, 46
- child abuse *see* sexual exploitation and abuse of children
- cocaine, 17, 30, 31
- coercive powers, 23–24
 - use of, 4, 28, 30, 31, 32, 36
- commercial litigation, 55
- contempt of the ACIC, 54–55
- convictions, 53, 36
- Corporate Plan 2020–21*, 35
- cost of serious and organised crime, 14
- counter-terrorism *see* national security
- Court Portal, 46
- court proceedings, 53–55

- COVID-19 pandemic, 4, 15
 - and cybercrime, 25
 - and financial crime, 27
 - and high-risk criminal targets, 33
 - and illicit drug consumption, 17, 30
 - and visa and migration fraud, 34
 - and wastewater analysis, 31
- ACIC response, 4, 15, 33
- Criminal Assets Confiscation Taskforce (CACT), 4, 27
- criminal charges, 29, 36, 53
- criminal environment, 14–19
- Criminal Exploitation of Australia’s Migration System special operations, 34
- criminal gangs, 18, 28–29
- criminal history checks, 5, 47
- criminal intelligence systems and databases, 48–49
- criminal intelligence delivery, 4, 36, 40–49 *see also* national policing information systems and services; publications
- criminal targets, 27, 33, 35, 36 *see also* Australian Priority Organisation Target (APOT) strategy; criminal gangs
- cryptocurrency, 27
- cybercrime, 14, 19, 25–26 *see also* financial crime; identity crime
 - annual cyber threat report, 26
- Cyber-Related Offending special operations, 25

D

- dark web, 14, 15, 18
- Department of Foreign Affairs and Trade, 28
- Department of Home Affairs, 34, 43, 44, 49
- determinations, board, 10, 22–23
- disaster victim identification, 45
- disclosure of information to prescribed private sector bodies, 40
- disruptions, 4, 27, 33, 36
- disseminations, 36
- DNA profiles, 45
- domestic violence orders (DVOs), 46
- drugs *see* illicit drugs

E

- ecstasy *see* MDMA
- emerging organised crime threats, 32–33
- Emerging Organised Crime Threats special operations, 32–33
- enablers of crime, 15–16
- encrypted technologies, 15, 19, 32, 33
- environmental crime, 19

- examinations, 4, 23, 24, 30, 31
 - and judicial reviews, 56
- examiners, 23
 - and contempt proceedings, 54–55
 - special powers, 23–24

F

- facilitators of crime, 15, 30, 34
- financial crime, 18, 26–28 *see also* cybercrime; money laundering
- financial referrals, 4, 27
- fingerprint identifications, 5, 44
- Fintel Alliance, 26
- Firearm Trafficking special operations, 28
- firearms, 28
 - identification and tracing, 28
 - illicit firearms market, 18, 28
 - information systems, 28, 42–43
 - seizures, 29
- forensic services, 44
- fraud, 27, 28, 32 *see also* financial crime
- frontline services, 44

G

- gangs, 18, 28–29
- government programs, fraud against, 27, 32

H

- heroin, 17, 30
- High Risk and Emerging Drugs special operations, 30–31
- high-risk criminal targets, 33
- Highest Risk Criminal Targets special investigations, 33
- Home Affairs portfolio, 2
- human trafficking and slavery, 19, 34

I

- identity crime, 15
- Illicit Drug Data Report 2018–19*, 4, 40
- illicit drugs, 16–18, 29–31, 34
 - data report, 4, 40
 - key substances, 17–18
 - markets, 16–18, 30
 - policy, 29
 - precursors, 18

- seizures, 4, 27, 31, 36
- special operations, 30–31
- illicit firearms *see* firearms
- illicit pharmaceuticals, 17–18, 30
- illicit tobacco, 4, 18, 32, 36
- information and intelligence products, 4, 36, 40–41 *see also* national policing information systems and services; publications
 - on cybercrime, 25
 - on emerging organised crime threats, 32
 - on financial crime, 27
 - on firearms, 28
 - on high-risk criminal targets, 33
 - on illicit drugs, 30
 - on illicit tobacco, 33
 - on national security, 31–32
- information disclosed to prescribed private sector bodies, 40
- information technology-enabled crime *see* technology-enabled crime
- intellectual property crime, 19
- Inter-Governmental Committee, 2
- Interpol, 45

J

- judicial reviews, 55–56
- Judiciary Act 1903*, 55

L

- labour exploitation, 34
- legislative changes, 52
- legislative reviews, 52–53
- letter of transmittal, ii

M

- Managed Person System, 46
- Maritime Security Identification Card (MSIC), 52
- Maritime Transport and Offshore Facilities Security Regulations 2003*, 52
- MDMA, 27, 30
- methamphetamine, 17, 27, 30
- migration fraud, 19, 34
- missing persons identification, 45
- money laundering, 15, 19, 27, 34 *see also* financial crime
- motorcycle gangs *see* outlaw motorcycle gangs

N

- National Automated Fingerprint Identification System (NAFIS), 44
 - NAFIS Hardware Stabilisation Project, 44
- National Child Offender System, 46
- National Criminal Intelligence System (NCIS), 5, 10, 48–49
- National Criminal Intelligence System User and Support Task Force, 24
- National Criminal Investigation DNA Database, 45
- National Domestic Violence Order Scheme, 46
- National Drug Strategy*, Australian Government, 29
 - ACIC contribution, 29–30
- National Exchange of Vehicle and Driver Information System, 43
- National Firearm Trace Program, 28
- National Firearms Identification Database, 42
- National Firearms Licensing and Registration System, 43
- National Missing Persons and Victim System, 45
- National Police Checking Service (NPCS), 5, 47
- NPCS Support System, 47
- National Police Reference System (NPRS), 5, 42, 46
- national policing information systems and services, 5, 10, 41–49 *see also* information and intelligence products; publications
 - biometric and forensic services, 44–45
 - checking services, 46–47
 - criminal intelligence systems and databases, 48–49
 - frontline services, 41–44
 - protection services, 45–46
- National Policing Information Systems and Services Special Account, 10
- National Policing Systems Subcommittee, ACIC Board, 10
- national security, 14
- National Security Impacts from Serious and Organised Crime special operations, 31–32
- National Task Force Morpheus, 24, 29
- national task forces *see* task forces
- National Vehicles of Interest System, 43–44
- National Wastewater Drug Monitoring Program, 4, 17, 31, 40
- New Zealand Police, 29, 45

O

- Operation Ironside, 32, 33
- organised crime *see* serious and organised crime
- outlaw motorcycle gangs, 18, 28–29
- Outlaw Motor Cycle Gangs special operations, 29

P

- palm print identifications, 44
- Parliamentary Joint Committee on Intelligence and Security, 52
- Parliamentary Joint Committee on Law Enforcement, 10, 53
- Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, 52
- parliamentary committee inquiries, 52–53
- Partner Agency Funding Framework for National Policing Information, 10
- performance and image enhancing drugs, 18, 30
- persons charged, 36, 53
- pharmaceuticals, 17–18, 30
- Phoenix Taskforce, 26
- policy issues, 52–53
- portfolio membership (ACIC), 2
- precursor chemicals, 18, 30
- proceeds of crime outcomes, 54
- Proceeds of Crime Act 2002*, 54
- professional facilitators of crime, 15, 30, 34
- protection services, 45–46
- Public Governance, Performance and Accountability Act 2013*, 2
- public sector corruption, 16
- publications, 4, 26, 31, 40 *see also* information and intelligence products

Q

- qualitative results, special ACIC investigations and special ACIC operations, 24–35
- quantitative results, special ACIC investigations and special ACIC operations, 35–36

R

- regulations, changes to, 52
- reports, 4, 26, 31, 40 *see also* information and intelligence products
- Royal Commission into Institutional Responses to Child Sexual Abuse, 47

S

- seizures, 4, 27, 29, 31, 36
- Senate Legal and Constitutional Affairs Legislation Committee, 52
- sentencing outcomes, 53–54
- serious and organised crime
 - cost of, 14
 - emerging threats, 32–33
 - intelligence on *see* information and intelligence products
 - key characteristics, 14
 - key enablers, 15–16
 - key markets, 16–19

- response to pandemic, 4, 27
- targets, 27, 33, 35, 36
- transnational threats, 25, 33, 35
- Serious Financial Crime Taskforce (SFCT), 26, 27–28
- sexual exploitation and abuse of children, 15, 19, 32 *see also* checking services; protection services
- sexual services, unlicensed, 34
- sexual servitude, 34
- special ACIC investigations and special ACIC operations, 4, 22–36
 - board authorisations and determinations, 10, 22–23
 - priority areas, 24–25
 - qualitative results, 24–35
 - quantitative results, 35–36
- special powers, 23–24 *see also* coercive powers
- Sport Integrity Australia, 52
- sports integrity risks, 32
- stakeholders receiving information and intelligence products, 4
- strategic and operational insights, 27, 31–32, 41
- strategic assessments, 25, 28, 30, 33, 40–41
- Surveillance Legislation Amendment (Identify and Disrupt) Bill 2020, 52

T

- Targeting Criminal Wealth special investigations, 26–27
- task forces
 - board established, 24
 - Criminal Assets Confiscation Taskforce (CACT), 4, 27
 - financial crime, 26, 27
 - National Criminal Intelligence System User and Support Task Force, 24
 - National Task Force Morpheus, 24, 29
 - Serious Financial Crime Taskforce (SFCT), 26, 27–28
 - Transnational Criminal Intelligence Task Force (Vestigo Task Force), 24, 35
- taxation fraud *see* financial crime
- technology-enabled crime, 14, 15, 18, 19, 25–26 *see also* financial crime; identity crime
- terrorism, *see* national security
- tobacco, 4, 18, 32, 36
- transnational crime markets, 19, 33
- Transnational Criminal Intelligence Task Force (Vestigo Task Force), 24, 35
- transnational criminal threats, 25, 33, 35
- Transport Security Amendment (Serious Crime) Act 2021*, 52
- Transport Security Amendment (Serious Crime) Bill 2019*, 52

V

vehicles of interest, 43
Vestigo Task Force, 24, 35
violence and intimidation, 16
visa and migration fraud, 19, 34

W

wastewater analysis *see* National Wastewater Drug Monitoring Program
Working with Children Card (WWCC), 47
Working with Children Checks National Reference System, 47





www.acic.gov.au

 @ACIC  @ACICgovau

The Australian Criminal Intelligence Commission protects Australia from criminal threats through coordinating a strategic response and collecting, assessing and disseminating intelligence and policing information.

© Commonwealth of Australia 2022

<www.acic.gov.au>