



AUSTRALIAN
**CRIMINAL
INTELLIGENCE
COMMISSION**



Board of the Australian Criminal Intelligence Commission
CHAIR ANNUAL REPORT
2022–23

Contact details

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

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

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

02 6268 7343

media@acic.gov.au



acic.gov.au



facebook.com/ACIC



instagram.com/acic_govau



linkedin.com/acic-govau

Publication details

© Commonwealth of Australia 2024



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 – see creativecommons.org/licenses/by/4.0/. This licence only applies 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 – see creativecommons.org/licenses/by/4.0/legalcode.

The terms under which the Coat of Arms may be used are detailed on the website of the Department of the Prime Minister and Cabinet at pmc.gov.au/honours-and-symbols.

ISSN: 2209-3729 (print)

ISSN: 2209-3737 (online)

Letter of transmittal



Attorney-General

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 2022–23*.

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 ACC Act, requires the Chair of the Board to furnish the report to the Inter-Governmental Committee on the Australian Crime Commission (IGC-ACC) for transmission. This was completed out of session in April 2024. No comments on the report were received from the IGC-ACC.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Dreyfus'.

THE HON MARK DREYFUS KC MP
Chair of the Inter-Governmental Committee on the Australian Crime Commission
16/5/2024

Contents

Section 1: Introduction	1
▶ About the ACIC	2
▶ About this report	2
▶ Chair's review	4
Section 2: ACIC Board	7
▶ Role	8
▶ Members and observers	8
▶ Meetings	8
▶ Subcommittee	9
▶ Matters considered	9
Section 3: Australia's criminal environment	11
▶ Key characteristics	12
▶ Key enablers	13
▶ Key markets	14
Section 4: Investigations and operations	19
▶ Overview	20
▶ Priority crime themes	22
▶ Quantitative results	32
Section 5: Criminal intelligence and national policing information	35
▶ Intelligence products	36
▶ National policing information systems and services	37
▶ Checking services	44
Section 6: Legislative framework and legal actions	47
▶ Legislative changes	48
▶ Parliamentary committees	49
▶ Charges and convictions	49
▶ Proceeds of crime actions	50
▶ Contempt proceedings	51
▶ Judicial reviews	53
List of abbreviations	55
Index	56



This section provides an introduction to the ACIC, explains the role of this report, and presents the Chair's review of ACIC achievements in 2022–23.



SECTION

INTRODUCTION

- ▶ About the ACIC 2
- ▶ About this report 2
- ▶ Chair’s review 4
 - Criminal intelligence delivery 4
 - National policing information systems and services 4
 - Checking services 5
 - Looking ahead 5

About the ACIC

The Australian Criminal Intelligence Commission (ACIC) is Australia's national criminal intelligence agency. The purpose of the agency is to protect Australia from serious crime threats by collecting, assessing and disseminating intelligence and policing information.

In 2022–23, the ACIC achieved this by:

- ▶ collecting, analysing and disseminating mission critical intelligence
- ▶ providing national policing information systems and services to support police and law enforcement partners to investigate, solve and prevent crimes
- ▶ delivering background checking services to help organisations make informed decisions about the suitability of applicants for certain entitlements or positions of trust.

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

The agency was part of the Attorney-General's portfolio throughout 2022–23.

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 Attorney-General and the appropriate minister of each state and territory via the Inter-Governmental Committee established under section 8 of the ACC Act.

A 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	None to report
(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 and national policing information
(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 and national policing information
(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

The ACIC provides mission critical intelligence to combat the threats Australia faces from transnational serious and organised crime. The ACIC has an integrated view of crime and plays a unique role in linking the National Intelligence Community with law enforcement, made possible through the connected systems and unique capabilities that the agency uses to coordinate decision-making with state and territory, Commonwealth and international partners.

In 2022–23, the ACIC continued to collect, assess and disseminate mission critical intelligence and policing information to partners, to achieve its vision of 'An Australia hostile to criminal exploitation' and support partners to deliver on their law enforcement functions.

I would like to acknowledge former CEO Michael Phelan APM for his leadership of the agency, and to thank Matthew Rippon, who has acted as CEO since Mr Phelan's term of appointment ended in November 2022.

Criminal intelligence delivery

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

- ▶ discovering new information relating to its special ACIC investigations and special ACIC operations through coercive examinations
- ▶ producing 2,719 unique intelligence products and making 15,781 disseminations of those products among 191 stakeholders, including national and international law enforcement partners
- ▶ producing reports 17 and 18 of the National Wastewater Drug Monitoring Program and releasing them to the public.

The ACIC plays a critical role in bringing partners together to build operational strategies and coordinate disruption activities. The agency contributed to 78 disruptions by partner law enforcement agencies during the year.

The ACIC's work with law enforcement partners led to the seizure of drugs and precursor chemicals with an estimated street value of \$7.9 billion, illicit tobacco with an estimated excise value of \$79.3 million, and \$28.0 million in cash and assets.

National policing information systems and services

The ACIC provided and maintained 12 national policing information systems and related services to help its partners prevent, detect and reduce crime in the Australian community. This included delivering 32.2 million searches through the National Police Reference System (NPRS) and supporting 99,486 positive data match fingerprint identifications and 69 crime scene ballistics matches.

The National Criminal Intelligence System (NCIS) is a key law enforcement and criminal intelligence information-sharing platform. Four ‘early adopters’ – New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force – are now sharing extensive operational policing data and have integrated NCIS into their local systems. Other police agencies are also using NCIS and work is underway to enhance the data they share and further expand our national picture of crime.

A significant milestone was accomplished in 2022–23 with the successful transition from the legacy National Automated Fingerprint Identification System (NAFIS) to full operation of NAFIS NextGen. NAFIS NextGen is the national capability that provides Australian law enforcement agencies with the critical fingerprint matching capability to support law enforcement operations at all levels.

Checking services

The National Police Checking Service (NPCS) remains a key activity for the ACIC, enhancing the safety of the community by providing timely and accurate information to support employment or entitlement decisions. During 2022–23, the service processed 7.2 million nationally coordinated criminal history checks.

Looking ahead

Over the next 12 months, the ACIC will continue to support operational outcomes and criminal disruptions by working with partners, at the Commonwealth and state and territory levels and internationally. The agency will also focus on its 3 key areas of delivery: criminal intelligence, national information services and the NPCS.

In my role as Chair, I look forward to providing strategic direction to the ACIC and leading the board as a unified force against transnational serious and organised criminals seeking to cause harm to the Australian community.



Reece Kershaw APM
Chair
Board of the Australian Criminal
Intelligence Commission

12 December 2023



This section details the role and composition of the ACIC Board, and summarises the key activities of the board and its subcommittee in 2022–23.



SECTION 2

ACIC BOARD

▶ Role	8
▶ Members and observers	8
▶ Meetings	8
▶ Subcommittee.	9
▶ Matters considered	9

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, and determining the classes of persons to participate in such operations or investigations
- ▶ 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.

Members and observers

The board is chaired by the Commissioner of the Australian Federal Police (AFP), and comprises the heads of each Commonwealth, state and territory police force and a number of national security and regulatory agencies, as set out in section 7B(2) of the ACC Act.

On 1 July 2022, when the ACIC moved to the Attorney-General's portfolio from the Home Affairs portfolio, the Secretary of the Attorney-General's Department replaced the Secretary of the Department of Home Affairs as a member of the board.

The CEO of the ACIC is a non-voting member of the board. The CEO of the Australian Transaction Reports and Analysis Centre (AUSTRAC) attends board meetings as a non-voting observer.

Meetings

The board met 4 times in 2022–23, in line with the scheduling and quorum requirements of the ACC Act.

Subcommittee

The board's National Policing Systems Subcommittee is responsible for considering matters in relation to national policing systems and the National Policing Information Systems and Services Special Account (NPISS Special Account) and making recommendations to the board for endorsement.

The subcommittee met twice in 2022–23, and discussed and received regular updates from the ACIC on:

- ▶ outcomes from meetings of the NPCS Working Group, through which the ACIC and police agencies are developing a future NPCS model for board consideration
- ▶ national policing information systems and current national policing information projects, including the ACIC's 2023–24 investment proposals and the National Policing Information Capability Roadmap 2021–25
- ▶ NPISS Special Account revenue.

Matters considered

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 considerations in 2022–23, the board:

- ▶ made 9 new determinations authorising special ACIC operations and revoked 8 previous determinations authorising special ACIC operations and special ACIC investigations (as listed in Table 4.1 of this report)
- ▶ approved the national criminal intelligence priorities for 2022–23
- ▶ approved performance benchmarks for national policing information systems and services
- ▶ established Task Force Reston, to facilitate information sharing relating to the work of the National Disability Insurance Scheme and the Fraud Fusion Taskforce
- ▶ considered arrangements for NCIS
- ▶ considered arrangements for the National Firearms Register and provided in-principle agreement to accessing funds from the NPISS Special Account cash balance reserve to support the establishment of the register
- ▶ considered the ACIC's 2023–24 investment proposals
- ▶ reviewed the NPISS Special Account revenue and prioritisation of national policing information projects for 2023–24
- ▶ made a recommendation to the Attorney-General to increase the fees and charges for national policing information services, namely charges for the NPCS
- ▶ approved the ACIC's *Strategic Direction 2023–27*.



This section draws on intelligence gathered by the ACIC and its partners to describe the nature, scope, trends and patterns of criminal activity impacting Australia.



SECTION 3

AUSTRALIA'S CRIMINAL ENVIRONMENT

▶ Key characteristics	12
▶ Key enablers	13
– Technology	13
– Professional facilitation	13
– Money laundering	13
– Identity crime	13
– Violence and intimidation	14
– Public sector corruption	14
▶ Key markets	14
– Illicit commodities	14
– Financial crime	17
– Transnational crime markets	17

Key characteristics

Serious and organised crime (SOC) poses a grave and enduring threat to Australia's national security and prosperity. Criminal actors are profit driven and increasingly globalised, collaborative and enabled. We use our unique collection and analytical capabilities to illuminate the hidden, complex and dynamic criminal environment so that Australia can bring a coordinated national response to the fight against serious criminal threats.

- ▶ **Serious criminal threats contribute to Australia's national security threat.** There are links between national security issues and SOC groups, including illicit activities that undermine the integrity of Australia's border and governance. Offshore safe havens and jurisdictions of risk pose challenges to intelligence and law enforcement agencies trying to protect Australia's national interests in an increasingly fraught global strategic context.
- ▶ **Serious criminal threats impact everyone.** Serious and organised criminals are highly adept at using everyday systems and services to enact destructive, pervasive and complex illicit ventures. Serious and organised criminals create unfair competition for legitimate businesses and industries, exploit vulnerable people, and increase pressure on the economy and vital health and welfare services.
- ▶ **Criminals prioritise profits above all else.** The heads of criminal networks are driven by greed, with all elements of their illicit business acting in service of maximising profits. These high-level criminals will go to great lengths to achieve their goals, regardless of traditional club or group ties or geographical boundaries.
- ▶ **Serious and organised criminal enterprises are globalised and collaborative.** Even the highest threat criminal enterprises have limitations to their reach, and rely on the services, access and expertise of other criminals to succeed in their illicit ventures. More than ever, SOC groups are prioritising collaboration over competition.
- ▶ **Technology is expanding opportunities for criminals across every category of crime.** Criminals are quick to adopt emerging and advancing technologies across the full spectrum of serious criminal threats. As Australians rely more heavily on online services and platforms, global opportunities for cybercrime, serious financial crime and victim-based crime expand. The increasingly digital world has also granted easier access for criminals to illicit commodities, specialist tools and peers who readily share techniques and expertise across dark web forums and marketplaces.
- ▶ **Criminal groups are enabled by trusted insiders and professional facilitators.** SOC groups rely on a range of skills to help conceal their activity and manage the profits of crime. Criminals exploit trusted insiders in Australian supply chains, leveraging their unique access and knowledge to evade detection by law enforcement and border security. Professionals such as lawyers, accountants and real estate agents are also wittingly or unwittingly used to apply their skills in masking complex criminal activities.

Key enablers

Enablers are activities (which may be crimes themselves) or capabilities that underpin and contribute to the effectiveness of SOC. The key enablers described here are widely used in Australia, although not all enablers are present in every illicit market. Multiple 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 that 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 assist them 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 a 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, differences in 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, but when, as is increasingly the case, crime groups are indifferent to members of the public becoming 'collateral damage', the threat to the public is more direct. 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.

In world terms, Australia is relatively free from serious and organised criminal involvement in public sector corruption.

Key markets

Australia is exposed to serious and organised criminal activities conducted locally and across geographic boundaries. Key crime markets include illicit commodities, such as drugs and firearms, and increasingly sophisticated enterprises such as financial crime and intellectual property crime.

Illicit commodities

Serious and organised crime remains highly active in Australian markets for illicit commodities such as drugs, tobacco and firearms.

The illegal importation, manufacture, cultivation and distribution of harmful drugs in Australia generates billions of dollars in profits for organised criminal groups. The Australian illicit drug market is sustained by demand for a wide variety of substances, as described in Table 3.1. Some serious and organised crime groups capitalise on the demand by importing, cultivating, manufacturing or trafficking several drug types simultaneously.

Table 3.1: Key substances in the Australian illicit drug market 2022–23

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, and supplied by a very large number of often unsophisticated groups and individuals. Almost all cannabis consumed in Australia is cultivated domestically, and some cultivation is increasingly sophisticated and coordinated. Report 19 of the National Wastewater Drug Monitoring Program (the Program) shows cannabis consumption has been at least double the consumption of methylamphetamine throughout the time that both substances have been monitored by the Program. Average consumption of cannabis decreased in both capital cities and regional areas between August and December 2022. Regional average consumption exceeded capital city average consumption.
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. Report 19 of the Program shows that cocaine consumption increased in both capital cities and regional areas between August and December 2022. Capital city average consumption exceeded regional average consumption.
Hallucinogens and anaesthetics	<p>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 illicit importations and substantial diversion from legitimate industrial uses.^a All 3 substances feature in poly-drug use with substances such as methylamphetamine.</p> <p>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 in northern Asia. Ketamine is both illicitly imported and diverted domestically from the medical and veterinary sectors. Ketamine has been monitored by the Program since December 2020. Report 19 of the Program shows ketamine excretion increased in both capital cities and regional areas between August and December 2022. Capital city average excretion exceeded regional average excretion.</p>
Heroin	All heroin in Australia is imported by SOC groups, and almost all of it originates in South-East Asia. Report 19 of the Program shows that heroin consumption decreased in both capital cities and regional areas between August and December 2022. Capital city average consumption exceeded regional average consumption.
Illicit pharmaceutical opioids	Pharmaceuticals commonly misused in Australia include opioid-based pain relief medications, opioid substitution drugs, benzodiazepines, pregabalin and codeine. The Program monitors the consumption of 2 pharmaceutical opioids – fentanyl and oxycodone – with data reflecting both licit and illicit use. Report 19 of the Program shows that between August and December 2022 consumption of fentanyl increased in both capital cities and regional areas, but remained lower than levels reported earlier in the Program. Consumption of oxycodone decreased in both capital cities and regional areas during that period. Regional average consumption exceeded capital city average consumption for fentanyl and for oxycodone.
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. Report 19 of the Program shows that average consumption of MDMA increased in both capital cities and regional areas between August and December 2022. Capital city average consumption exceeded regional average consumption.

Table 3.1: Key substances in the Australian illicit drug market 2022–23 (continued)

Substance	Market characteristics
Methylamphetamine	Numerous SOC groups are involved in the importation, domestic manufacture and distribution of methylamphetamine in Australia. There is evidence of increasing variety and sophistication in domestic manufacture of methylamphetamine. Methylamphetamine causes disproportionate harm in Australia because there is strong and resilient demand for the drug in both capital city and regional areas. Report 19 of the Program shows that average methylamphetamine consumption increased in both capital cities and regional areas between August and December 2022. Capital city average consumption exceeded regional average consumption.
New psychoactive substances	SOC groups have limited influence in the market for new psychoactive substances, which have similar chemical structures to, or mimic the effects of, other illicit drugs. These substances have been available in Australia since the mid-2000s. Hundreds of the 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. The market is increasingly seeing SOC groups move to the use of pre-precursors to avoid regulatory and legislative controls over the more traditional precursors.

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'.

Serious and organised crime is also involved in the highly lucrative illicit tobacco market in Australia, 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 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. In 2023, the ACIC conservatively estimated that there were approximately 200,000 illicit firearms, comprising of 190,000 long arms and 10,000 handguns, in the domestic illicit market.

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 risk of exposure to 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, including wildlife crime, illegal logging and fishing, and illegal disposal of rubbish. 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.



This section describes the special ACIC investigations and special ACIC operations that the ACIC undertook to address priority criminal threats facing Australia in 2022–23.



SECTION

4

INVESTIGATIONS AND OPERATIONS

▶ Overview	20
– Board determinations	20
– Special powers	21
– Task forces	21
▶ Priority crime themes	22
– Cybercrime	22
– Financial crime	23
– Gangs	25
– Highest-risk serious and organised crime	25
– Illicit drugs	27
– Illicit firearms	28
– Other criminal threats to Australia	29
▶ Quantitative results	32

Overview

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.

Board determinations

Special ACIC investigations and special ACIC operations are authorised by written determination. The board made 9 such determinations and revoked 8 previous determinations in 2022–23. Table 4.1 lists the special ACIC investigations and special ACIC operations authorised by board determinations during the year.

Table 4.1: Board-approved special ACIC investigations and special ACIC operations 2022–23

Authorisation/determination	Type	Date established
Criminal Exploitation of Australia’s Migration System 2020 ^a	Special ACIC operation	28 July 2020
Cyber-Related Offending 2020 ^a	Special ACIC operation	28 July 2020
Emerging Organised Crime Threats 2020 ^a	Special ACIC operation	28 July 2020
Firearm Trafficking 2020 ^a	Special ACIC operation	28 July 2020
High Risk and Emerging Drugs 2020	Special ACIC operation	28 July 2020
Highest Risk Criminal Targets 2020 ^a	Special ACIC investigation	28 July 2020
National Security Impacts from Serious and Organised Crime 2020 ^a	Special ACIC operation	28 July 2020
Outlaw Motor Cycle Gangs 2020 ^a	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 ^a	Special ACIC operation	16 June 2021
Cybercrime 2022	Special ACIC operation	12 December 2022
Drugs 2022	Special ACIC operation	12 December 2022
Firearms 2022	Special ACIC operation	12 December 2022
Illicit Tobacco 2022	Special ACIC operation	12 December 2022
National Security Threats 2022	Special ACIC operation	12 December 2022
Serious Financial Crime 2022	Special ACIC operation	12 December 2022
Supply Chains (Imports and Exports) 2022	Special ACIC operation	12 December 2022
Victim-Based Crime 2022	Special ACIC operation	12 December 2022
Visa and Migration Fraud 2022	Special ACIC operation	12 December 2022

^a This special ACIC investigation/special ACIC operation was revoked by the ACIC Board on 12 December 2022.

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 1A and 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.

A range of ancillary processes may enable an ACIC examiner to secure compliance with a 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.

Division 1A also empowers an examiner to request or require information from Commonwealth agencies and, where arrangements are in place, certain state agencies.

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 board-established task forces which support collaboration between partners seeking to disrupt criminal enterprises through intelligence-led responses.

The board approves the partner agencies who may participate in board-established task forces. Agency heads of partner agencies nominate staff to participate in an ACIC task force, and those participants become members of the staff of the ACIC for the purposes of that task force. Participants work collaboratively within the framework of each task force to achieve its objectives.

Three board-established task forces operated in 2022–23, as shown in Table 4.2.

Table 4.2: Board-established task forces at 30 June 2023

Task force	Established	Expires
National Task Force Morpheus	1 July 2014	30 June 2024
Transnational Criminal Intelligence Task Force (Vestigo Task Force)	30 November 2016	30 June 2024
Task Force Reston	20 April 2023	not applicable

Priority crime themes

In 2022–23, the special ACIC investigations and special ACIC operations focused on the 7 priority areas of criminal threats affecting Australia, as identified in the *Corporate Plan 2022–23*:

- ▶ cybercrime
- ▶ financial crime
- ▶ gangs
- ▶ highest-risk serious and organised crime
- ▶ illicit drugs
- ▶ illicit firearms
- ▶ other criminal threats to Australia.

Across all priority areas, a key focus was disseminating mission critical intelligence to domestic and international partners to enable the disruption of transnational activities of serious and organised crime targets that are based offshore or strongly connected offshore, to reduce their impact on Australia.

This section describes the aims and activities of special ACIC investigations and special ACIC operations in 2022–23. The ACIC's *Annual Report 2022–23* contains additional details on the agency's achievements in priority areas, including comparisons with previous reporting periods.

Cybercrime

Cyber-related crime covers a wide variety of offences that present a significant threat to Australia, including identity crime, computer hacking, phishing, botnets, computer-facilitated crime, and cyber intrusion directed at private and national infrastructure.

Advances in technology have offered new opportunities for serious and organised crime groups, which use 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.

Cyber-Related Offending 2020

Through the Special Australian Criminal Intelligence Commission Operation Determination (Cyber-Related Offending) 2020, the ACIC collected and analysed information and intelligence to identify, investigate, disrupt or prevent cyber-related offending activity.

The ACIC used its unique coercive powers to develop comprehensive intelligence about the nature and extent of serious criminal threats. Intelligence was developed and provided to partner agencies to enable disruption through enforcement actions, and to inform regulation and policy reform.

Cybercrime 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Cybercrime) 2022, the ACIC collects and analyses information and intelligence to identify, investigate and disrupt serious and organised crime's involvement in cyber-related crime. The Cybercrime 2022 special operation is focused on offences directed at computers or other information communications technologies and offending facilitated by computer.

The aim of the special operation is for the ACIC to:

- ▶ investigate and collect intelligence on cyber-related crime activities
- ▶ identify persons and entities committing cyber-related crime offences
- ▶ understand the dynamic and changing environment in which cybercrime offences are committed
- ▶ understand the scale of impacts of cybercrime offences, such as the numbers and types of victims, the financial impacts, and the extent of cyber security vulnerabilities
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

Financial crime

Financial crime encompasses financial offending: fraud, money laundering, financial information offences, superannuation and investment fraud, foreign acquisitions, sanctions, sophisticated tax evasion, and serious company violation offences.

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 and disseminating intelligence that better informs the response to financially motivated criminal activity.

The ACIC's investigations incorporate the work of multi-agency national task forces, including:

- ▶ the Criminal Assets Confiscation Taskforce, to facilitate the physical recovery of proceeds of crime
- ▶ the Serious Financial Crime Taskforce, to facilitate the coordinated identification of, and response to, financially motivated criminal activity
- ▶ the Phoenix Taskforce, the Black Economy Standing Taskforce and the Fintel Alliance, to enhance the integrity of the financial system in Australia.

Targeting Criminal Wealth 2020

The purpose of the Special Australian Criminal Intelligence Commission Investigation Determination (Targeting Criminal Wealth) 2020 was to disrupt and deter criminal groups by collecting evidence and intelligence about financially motivated criminal activity.

Through the special investigation, the ACIC worked with its partners to:

- ▶ collect and deliver intelligence on financially motivated criminal activity, including money laundering, and nationally significant tax fraud
- ▶ build national knowledge of financially motivated criminal activity
- ▶ help make Australia unattractive for abusive financial arrangements and money laundering
- ▶ reduce the impact of serious financial crime on the Australian community.

Serious Financial Crime 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Serious Financial Crime) 2022, the ACIC collects and analyses information and intelligence to identify, investigate and disrupt serious and organised crime relating to financially motivated criminal activity. Financially motivated criminal activity includes fraud, money laundering, financial information offences, foreign acquisitions, and serious company violation offences.

The aim of the special operation is for the ACIC to:

- ▶ investigate and collect intelligence on financially motivated criminal activities
- ▶ identify persons and entities committing financially motivated criminal activities
- ▶ understand the dynamic environment of financial crime, such as new and emerging methodologies to launder money, including cryptocurrency
- ▶ identify vulnerabilities in Australia's financial systems
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

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.

Outlaw Motor Cycle Gangs 2020

The purpose of the Special Australian Criminal Intelligence Commission Operation Determination (Outlaw Motor Cycle Gangs) 2020 was to gather intelligence in relation to serious and organised crime committed by OMCs, and to investigate specified criminal activity to disrupt, dismantle or neutralise their criminal activities nationally.

The operation supported target development and investigations into OMCs by law enforcement agencies. It aimed to promote cooperation between law enforcement, government and industry partners to build an awareness of threats and vulnerabilities, and contribute to appropriate legislative and policy responses, to reduce the threat posed by OMCs.

Highest-risk serious and organised crime

Highest-risk serious and organised crime entities exert significant influence over Australia's illicit commodity markets and pose a grave threat to Australia's national security. These groups are present in all Australian states and territories. Most are operating in 2 or more jurisdictions, within Australia or transnationally, and have established a presence within legitimate sectors to facilitate their criminal activities.

Highest Risk Criminal Targets 2020

The Special Australian Criminal Intelligence Commission Investigation Determination (Highest Risk Criminal Targets) 2020 was designed to:

- ▶ maximise impact against, and disruption of, the targeted serious and organised crime entities that represent the greatest risk and threat nationally
- ▶ build on the collective national expertise and knowledge of serious and organised crime in Australia to monitor changes in the serious and organised crime environment and movement within the criminal markets.

Under the determination, the ACIC worked closely with domestic and international partners to extend the ACIC's unique capabilities and reduce the impact of serious and organised crime on Australia.

The work spanned several priority areas, including gangs, illicit firearms, financial crime and illicit drugs. Due to the potential high return on investment, Australia's illicit drug market is seen as an attractive market by overseas highest-risk criminal groups. The overseas criminal groups work in partnership with domestic criminal groups that provide access to specialist facilitators capable of smuggling illicit drugs through border controls, and money launderers.

The ongoing risk presented by the highest-risk criminal groups underscores the importance of a nationally coordinated intelligence and investigative response.

National Security Impacts from Serious and Organised Crime 2020

The purpose of the Special Australian Criminal Intelligence Commission Operation Determination (National Security Impacts from Serious and Organised Crime) 2020 was to examine and identify potential or actual convergences between serious and organised crime and other national security matters.

The operation focused on gathering intelligence around particular serious and organised criminal activity, such as people smuggling, terrorism and serious and organised crime penetration at the border, so that decisions were informed by the extent, impact and threat of that activity.

The operation provided a unique perspective on the evolving threats and risks posed by serious and organised crime groups within the national security environment.

National Security Threats 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (National Security Threats) 2022, the ACIC collects and analyses intelligence to identify, investigate and disrupt serious and organised threats impacting Australia's national security.

The aim of the operation is for the ACIC to:

- ▶ investigate and collect evidence of national security threats
- ▶ identify and investigate security-related risks to Australia's economy, institutions and governments
- ▶ identify persons and entities involved in committing offences related to national security and identify the relationships between those persons and entities
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes to address vulnerabilities and combat national security threats.

Illicit drugs

The illicit drug trade poses significant socioeconomic and health risks to the Australian public. 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 provides leading-edge national research and intelligence on illicit drugs and licit drugs that can be abused, through the National Wastewater Drug Monitoring Program.

The ACIC also produces the Illicit Drug Data Report, which provides governments, law enforcement agencies and interested stakeholders with a national picture of illicit drug data. The report provides an important evidence base to assess current and future illicit drug trends, and assists decision-makers in the development of strategies to combat the threat posed by illicit drugs.

High Risk and Emerging Drugs 2020

Through the Special Australian Criminal Intelligence Commission Operation Determination (High Risk and Emerging Drugs) 2020, the ACIC examined and monitored a range of drug markets in Australia to gather intelligence on criminal activity.

The ACIC leverages its unique mix of powers, knowledge and capabilities to better understand the illicit drug markets. Providing timely and informative intelligence to partner agencies is key to identifying drug-related threats to the community, and to responding to threats from illicit drug markets through operational outcomes, policy and regulatory reforms.

Drugs 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Drugs) 2022, the ACIC collects and analyses information and intelligence to identify, investigate and disrupt serious and organised crime relating to drug offences. Drug offences that fall within the scope of the special operation include trafficking, manufacturing, possessing, and importing and exporting illicit drugs.

The aim of the special operation is for the ACIC to:

- ▶ monitor, investigate and collect evidence on the illicit drug markets, both domestically and internationally, to develop a comprehensive understanding of the serious and organised criminal threats that impact Australia
- ▶ identify persons and entities committing drug offences, and the relationships between different persons and entities
- ▶ identify emerging techniques, equipment and materials in the manufacture of illicit and licit drugs that maybe exploited by serious and organised crime groups
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

The special operation also examines and investigates offences against the *Therapeutic Goods Act 1989*, which sets out the legal requirements for the importation, supply and manufacture of therapeutic goods in Australia.

Illicit firearms

Firearms are used by serious and organised crime groups to protect interests and commit acts of violence. The use and possession of firearms by serious and organised crime groups and the trafficking and importation of illicit firearms are serious concerns for Australia. Traffickers supply illicit firearms to organised crime networks, either by illegally obtaining them from the licit market or by facilitating their illegal manufacture or importation.

Illicit firearms are a desirable commodity for serious and organised crime groups and an enabler of criminal activity.

Firearm Trafficking 2020

Through the Special Australian Criminal Intelligence Commission Operation Determination (Firearm Trafficking) 2020, the ACIC worked collaboratively with its partners to:

- ▶ develop a more comprehensive understanding of the nature and extent of criminal firearms activities, including by identifying entities involved and the nature and scope of their involvement, and identifying new, emerging and evolving threats to licit firearms markets
- ▶ improve understanding of firearms supply methodologies used by serious and organised crime groups in Australia, the illicit manufacture of handguns, and the means by which firearms are diverted to the illicit market
- ▶ reduce the ability of crime groups to acquire firearms, and thereby reduce the threat posed by such groups
- ▶ disrupt and dismantle serious and organised criminal enterprises through enforcement and other actions
- ▶ develop intelligence to inform prevention and mitigation strategies and contribute to national policy, regulatory and law enforcement decision-making that will make Australia more resistant to serious and organised crime.

Firearms 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Firearms) 2022, the ACIC collects and analyses information and intelligence to identify, investigate and disrupt serious and organised crime's involvement in illicit firearms.

The aim of the operation is for the ACIC to:

- ▶ investigate and collect intelligence on the illicit firearms market
- ▶ identify persons and entities involved in committing firearm-related offences and identify the relationships between the persons and entities involved
- ▶ understand the methods and techniques by which serious and organised crime groups source and supply firearms
- ▶ identify vulnerabilities in the industries and processes involved in the importation or distribution of firearms
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

Other criminal threats to Australia

The ACIC collects and produces intelligence to identify and improve understanding of other criminal threats to Australia, such as national security threats, the illicit tobacco market, victim-based crime, and visa and migration fraud.

Emerging Organised Crime Threats 2020

The purpose of the Special Australian Criminal Intelligence Commission Operation Determination (Emerging Organised Crime Threats) 2020 was to identify, investigate and disrupt serious and organised criminal threats impacting Australia's society, institutions, markets, sectors and economy. The focus of the operation was to identify and analyse professional facilitators providing expertise in support of organised crime groups.

The operation collected intelligence to enhance understanding of the enablers and methodologies used by criminal entities to undertake serious and organised criminal activity. This included the wider networks and professional facilitators that provide vital expertise and support to organised crime groups.

Intelligence was disseminated to partner agencies to inform operational outcomes and policy reforms, and to develop prevention and mitigation strategies to reduce the impacts of organised crime on the Australian community.

Foreign Interference Impacts from Serious and Organised Crime 2021

The purpose of the Special Australian Criminal Intelligence Commission Operation Determination (Foreign Interference Impacts from Serious and Organised Crime) 2021 was to examine and identify potential or actual convergences between serious and organised crime and foreign interference matters.

This special operation provides a focus on gathering intelligence around serious organised criminal activity, where that activity presents some risk of foreign interference, so that decisions were informed by the extent, impact and threat of that activity.

Supply Chains (Imports and Exports) 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Supply Chains (Imports and Exports)) 2022, the ACIC collects and analyses intelligence to identify, investigate and disrupt serious and organised threats impacting Australian supply chains.

Supply chains are used by serious and organised crime to facilitate the importation and exportation of drugs, illicit tobacco and regulated commodities. The aim of the operation is for the ACIC to:

- ▶ investigate and collect evidence of threats impacting Australian supply chains
- ▶ identify persons and entities involved in committing criminal activity both domestically and internationally, and identify the relationships between those persons and entities
- ▶ understand the new and emerging methodologies used by serious and organised crime groups to import and export illicit commodities or goods that bypass law enforcement actions

- ▶ identify vulnerabilities in the industries that are involved in the importation and exportation of goods, including the logistics, maritime, aviation and storage industries
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

Illicit Tobacco 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Illicit Tobacco) 2022, the ACIC collects and analyses intelligence to identify, investigate and disrupt serious and organised crime's involvement relating to illicit tobacco. Illicit tobacco is the importation and exportation of tobacco and selling or manufacturing of tobacco where the required customs/excise duty has not been paid.

The illicit tobacco market in Australia is viewed as a low-risk, high-reward venture for serious and organised crime groups. Illicit tobacco generates significant profits, allowing criminal groups to absorb losses from detection and disruption. Criminal groups will continue to adapt their methodologies in response to enforcement strategies.

The aim of the operation is for the ACIC to:

- ▶ investigate and collect intelligence on the illicit tobacco market
- ▶ identify persons and entities involved in committing offences related to illicit tobacco, and identify the relationships between those persons and entities
- ▶ understand the methods and techniques by which serious and organised crime groups conduct this offending
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

Victim-Based Crime 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Victim-Based Crime) 2022, the ACIC collects and analyses intelligence to identify, investigate and disrupt serious and organised crime's involvement in victim-based offending. Victim-based criminal activities include exploitation of child material, child sex offending, human trafficking and slavery.

The aim of the special operation is for the ACIC to:

- ▶ investigate and collect evidence of victim-based criminal offences
- ▶ identify persons and entities involved in committing criminal activity, and systems that are used by serious and organised crime groups to enable the exploitation of vulnerable persons
- ▶ identify opportunities to prevent organised abuse of children
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

Criminal Exploitation of Australia's Migration System 2020

Visa and migration fraud activity poses a significant threat to Australia's visa and migration system and to Australia's national interests more broadly. A prominent feature of this type of fraud is the increasing involvement of serious and organised crime groups that seek to exploit the Australian visa and migration system to facilitate criminal activities onshore.

Professional facilitators, including migration agencies, migration lawyers, education agents and education providers, are recruited by serious and organised crime groups to commit migration fraud.

The purpose of the Special Australian Criminal Intelligence Commission Operation Determination (Criminal Exploitation of Australia's Migration System) 2020 was to identify, investigate and disrupt serious and organised crime's involvement in visa and migration fraud.

The ACIC worked with its partners to enhance the strategic intelligence picture of visa and migration fraud, including the extent, profitability and drivers of the fraud and the types of crime that the fraud enables.

The operation also delivered intelligence to support an enhanced understanding of vulnerabilities within the migration system and their impact on Australia, and to facilitate target development and investigations to enable disruption of high-level criminal networks engaging in visa and migration fraud.

Visa and Migration Fraud 2022

Through the Special Australian Criminal Intelligence Commission Operation Determination (Visa and Migration Fraud) 2022, the ACIC collects and analyses intelligence to identify, investigate and disrupt serious and organised crime's involvement in people smuggling and offences against the *Migration Act 1958*, such as visa fraud and passport forgery.

The aim of the special operation is for the ACIC to:

- ▶ investigate and collect intelligence on how visa and migration fraud is facilitated for serious and organised crime groups by professional facilitators
- ▶ understand the methods and techniques by which criminals conduct visa and migration fraud
- ▶ understand the scale of visa and migration fraud and its impact on the Australian community
- ▶ identify vulnerabilities in industries involved in Australia's migration program and disseminate intelligence to partner agencies to address those vulnerabilities
- ▶ disseminate intelligence to its partners to enable enforcement, disruption and prevention outcomes and to assist in the development of government policy and law reforms.

Quantitative results

Table 4.3 summarises the quantitative results of special ACIC investigations and special ACIC operations for a range of activities supporting the agency's strategic objectives in 2022–23. It does not include results from ACIC activities that were not related to the special ACIC investigations and special ACIC operations.

The ACIC's *Annual Report 2022–23* contains statistics on the agency's performance against the quantitative measures detailed in its *Corporate Plan 2022–23*, including comparisons with previous reporting periods.

Table 4.3: Quantitative results of special ACIC investigations and special ACIC operations 2022–23

Authorised activities	Historical ^a	Special investigation		Special operation									
		HRCT	TCW	CEAMS	Cybercrime	Drugs	EOCT	FT	Firearms	HRED	IT	SFC	SC
Coercive powers	Exams	0	74	0	0	51	0	0	2	47	0	13	9
	Notices	0	96	0	0	63	0	0	2	30	0	23	3
	Products ^b	6	349	0	4	140	0	0	3	162	5	48	13
Intelligence products	Analytical	1	33	0	0	9	5	0	1	16	0	11	1
	Tactical	24	772	0	4	481	37	104	49	579	113	239	19
Disseminations	Analytical	24	394	0	0	242	83	0	30	285	0	166	17
	Tactical	122	4,154	1	4	2,409	134	1,152	418	2,623	470	1,408	199
	Stakeholders ^c	35	102	1	1	91	52	15	31	92	17	81	20
Identified criminality	Unknown ^d	0	14	0	0	8	0	0	0	22	2	12	1
	Known ^e	0	9	0	0	1	0	0	0	8	3	2	1
Disruptions	Severe	0	1	0	0	0	0	0	0	0	0	0	0
	Significant	0	25	0	0	18	3	0	0	21	3	6	1
Seizures (\$m)	Cash	0	15.51	0	0	1.31	3.88	0	0	1.81	1.51	2.89	0.56
	Drugs ^f	0	126.74	0	0	6,650.08	302.49	0	0	162.51	0	351.69	0
	Tobacco ^g	0	45.65	0	0	0	0	0	0	0	32.61	0	1.01
Arrests and convictions ^h	Charges	0	252	0	0	221	11	0	0	204	9	30	8
	Persons	0	37	0	0	30	3	0	0	31	8	16	3
	Convictions	1	6	3	0	0	0	0	0	6	0	0	0

CEAMS = Criminal Exploitation of Australia's Migration System 2020, Cybercrime = Cybercrime 2022, Drugs = Drugs 2022, EOCT = Emerging Organised Crime Threats 2020, Firearms = Firearms 2022, FT = Firearm Trafficking 2020, HRCT = Highest Risk Criminal Targets 2020, HRED = High Risk and Emerging Drugs 2020, IT = Illicit Tobacco 2022, SC = Supply Chains (Imports and Exports) 2022, SFC = Serious Financial Crime 2022, TCW = Targeting Criminal Wealth 2020

a Outcomes that occurred after an investigation/operation had 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 In addition, 1 person was charged and 8 charges were laid under a non-determination project.

Note: In 2022–23, there were no quantitative results from the following special ACIC operations: Cyber-Related Offending 2020, National Security Impacts from Serious Organised Crime 2020, Outlaw Motor Cycle Gangs 2020, National Security Threats 2022, Victim-Based Crime 2022, and Visa and Migration Fraud 2022.



This section describes the ACIC's delivery of intelligence products, national policing information, and checking services, to support law enforcement and community safety in 2022–23.



SECTION

5

CRIMINAL INTELLIGENCE AND NATIONAL POLICING INFORMATION

▶ Intelligence products	36
– Strategic assessments	36
– Strategic and operational insights	36
– Disseminations and disclosures	36
▶ National policing information systems and services	37
– Frontline	37
– Biometric and forensic	40
– Protection	42
– Criminal intelligence	43
▶ Checking services.	44
– National Police Checking Service	44
– Working with Children Checks National Reference System	45

Intelligence products

In 2022–23, the ACIC produced 2,719 unique intelligence products, including 101 strategic assessments and insights, for its partners.

Analysis of the agency's performance against targets for criminal intelligence delivery is provided in the ACIC's *Annual Report 2022–23*.

Strategic assessments

The ACIC's strategic assessments provide partners with assessments of crime types and markets or criminal issues of national importance. These products support and influence a range of intelligence, operational and response decisions, and inform government consideration of future strategies, including policy development.

In 2022–23, the ACIC produced strategic assessments on issues such as:

- ▶ transnational and serious and organised crime exploitation of Australia's supply chain
- ▶ trends in domestic methylamphetamine manufacture
- ▶ the Australian money laundering environment.

Strategic and operational insights

The ACIC's strategic and operational insights provide new understanding of 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 in-depth knowledge of the organised crime environment, strategic and operational insights provide decision-makers with a quick understanding of changing or emerging issues or threats. They inform and influence appropriate operational, regulatory and policy responses.

In 2022–23, the ACIC's strategic and operational insights covered issues such as:

- ▶ Chinese and Taiwanese serious and organised crime entities' impact on Australia
- ▶ the current state of OMCGs
- ▶ emerging trends in underground gambling
- ▶ organised crime groups operating across domestic borders
- ▶ transnational organised crime impacting Australia from the Pacific.

Disseminations and disclosures

Three types of partners receive intelligence products from the ACIC: the agencies that make up the membership of the ACIC Board; other Australian partners; and certain law enforcement agencies outside Australia, such as the United Kingdom National Crime Agency and the United States Drug Enforcement Administration.

The ACIC's non-board Australian partners include stakeholders not involved in traditional law enforcement, such as bodies in the health and the sports integrity sectors, who benefit from intelligence around vulnerabilities and potential criminal threats.

The ACIC made 15,781 disseminations of intelligence products to 191 partners in 2022–23. Of those disseminations, 67.0% were to board member agencies, 19.1% were to non-board Australian partners, and 13.8% were to international partners (percentages do not total 100 due to rounding).

The ACIC also disclosed information to 7 private sector bodies, on a total of 14 occasions, in accordance with the circumstances defined in section 59AB of the ACC Act. Information or intelligence products were disclosed to sporting entities, banking entities and a research entity.

National policing information systems and services

The ACIC's national policing information systems and services bring together essential law enforcement information from around the country and make it accessible to police officers and other accredited users, to keep them, and the Australian community, safe.

The 4 types of services – frontline, biometric and forensic, protection, and criminal intelligence – are specifically designed to equip police with the information they need to investigate, solve and prevent crimes.

Analysis of the agency's performance against targets for the provision of national policing information systems and services is provided in the *ACIC's Annual Report 2022–23*.

Frontline

Frontline systems and services enable police agencies to rapidly access and 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 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 mission critical intelligence.

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.

The implementation of the NCIS resulted in a decrease in searches of the NPRS compared to 2021–22 because NPRS data has been made available through NCIS.

Table 5.1 summarises key statistics for the system in 2022–23.

Table 5.1: National Police Reference System statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	99.89%	99.50%	n.a.	✓
Reliability	364.6 days ^a	n.a. ^b	n.a.	n.a.
Users	66,977	n.a.	65,294	✓
Searches	32,189,524	n.a.	38,565,449	X

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

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 2022–23.

Table 5.2: National Firearms Identification Database statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	96.00%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users ^c	354	n.a.	165	✓
Searches	78,741	n.a.	49,379	✓

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

c 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 ballistic libraries that operate in several states and territories.

Table 5.3 summarises key statistics for the network in 2022–23.

Table 5.3: Australian Ballistic Information Network statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	95.00%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users	112	n.a.	103	✓
Searches	3,237	n.a.	4,160	✗
Positive data matches	69	n.a.	78	✗

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

Australian Firearms Information Network

The Australian Firearms Information Network helps police and other law enforcement agencies to manage the registration, licensing and movement of firearms.

All police partners, the Department of Home Affairs and the Australian Border Force are integrated with the network. This gives them near real-time access to the full historical data holdings in the system, and 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 the network in 2022–23.

Table 5.4: Australian Firearms Information Network statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	99.00%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users	540	n.a.	739	✗
Searches	320,945	n.a.	348,279	✗

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

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 2022–23.

Table 5.5: National Vehicles of Interest System statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	99.98%	99.00%	n.a.	✓
Reliability	364.9 days ^a	n.a. ^b	n.a.	n.a.
Users	38,927	n.a.	28,356	✓
Searches	7,543,517	n.a.	6,999,980	✓

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

Biometric and forensic

Biometric and forensic systems help police to solve crimes through services such as fingerprint identification and DNA matching, and assist police to identify missing persons, human remains and disaster victims.

National Automated Fingerprint Identification System

Australian police use 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 NAFIS, to support Australia’s migration program.

The NAFIS system was upgraded to NAFIS NextGen in 2022–23. The upgrade has delivered a number of benefits, including increased matching effectiveness via advanced algorithms, and improved efficiency and flexibility of information sharing and interoperability within the ACIC and with other partner agencies.

Table 5.6 summarises key statistics for the system in 2022–23.

Table 5.6: National Automated Fingerprint Identification System statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	99.50%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users	561	n.a.	n.a. ^c	n.a.
Searches	2,026,802	n.a.	1,373,472	✓
Positive data matches	99,486	n.a.	98,755	✓

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

c The 4-year average is not available because the system changed the way it counts ‘active users’ in 2021–22. Previously, all accounts were considered ‘active’ if they received an automated email; however, this does not indicate whether the accounts were actually being used. The current method cannot be applied historically. The number of users in 2021–22 was 470.

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. The database and its integrated forensic analysis tool help 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, and has the capability to use DNA to link family relationships, to facilitate quick identification of disaster victims and help resolve missing persons cases. The software is configured to manage the complex policy and legislative differences between Australian jurisdictions.

Table 5.7 summarises key statistics for the database in 2022–23.

Table 5.7: National Criminal Investigation DNA Database statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	99.00%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users	123	n.a.	113	✓
Positive data matches	126,902	n.a.	106,841	✓

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

National Missing Persons and Victim System

The National Missing Persons and Victim System provides Australian state and territory police with the ability to share information on long-term missing persons and unidentified human remains. The system can match ante-mortem and post-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 2022–23.

Table 5.8: National Missing Persons and Victim System statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	96.00%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users	1,003	n.a.	867	✓

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

Protection

Protection systems assist police to find information on domestic violence orders (DVOs), manage child sex offenders, and identify child sexual 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.

Table 5.9 summarises key statistics for the system in 2022–23.

Table 5.9: National Child Offender System statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	99.50%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users	1,391	n.a.	1,083	✓

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

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 DVOs from the NPRS. The information is provided by the courts and provisioned into the NPRS by police agencies.

In 2022–23, the system was used by the courts to conduct 2,087 searches for information related to protection orders and DVOs.

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.

Criminal intelligence

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 intelligence databases and services. ALEIN is also a secure messaging channel for sharing criminal information and intelligence between Commonwealth, state and territory partners.

During 2022–23, ALEIN had 4,256 registered users.

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 the database in 2022–23.

Table 5.10: Australian Criminal Intelligence Database statistics

Measure	2022–23 result	4-year average	Result ≥ average
Availability ^a	99.69% ^b	n.a.	n.a.
Reliability ^a	181.9 days ^c	n.a.	n.a.
Users	2,096	2,436	X
Searches	266,233	384,701	X

n.a. = not applicable

a This measure is for the Australian Criminal Intelligence Database (ACID) intelligence documents database and Australian Law Enforcement Intelligence Network (ALEIN) Desks. This reflects the title users see when they log onto the application and is often referred to as ACID/ALEIN.

b This result met the ACIC's internal benchmark of 98.50%.

c Average period of operation between unplanned outages.

National Criminal Intelligence System

NCIS is the core system for sharing national policing information and intelligence in Australia. The system provides law enforcement and intelligence agencies with a comprehensive, unified picture of criminal activity and enables them to work more collaboratively.

NCIS contributes to a safer Australia by arming agencies with the cross-border information they need, when they need it, to address and prevent criminal activity. By sharing a national view of crime from multiple agencies, and delivering targeted, timely, relevant and prioritised national policing information, NCIS ensures that law enforcement officers are better informed about risks and safety is improved.

New South Wales Police Force, Queensland Police Service, Victoria Police and Western Australia Police Force have integrated NCIS into their local systems and are sharing policing data. Other police agencies are using NCIS and working to enhance the data they share. In 2023–24, the ACIC will integrate the remaining police agencies, add more data and uplift capability, including by developing intelligence capabilities in NCIS.

Table 5.11 summarises key statistics for NCIS in 2022–23.

Table 5.11: National Criminal Intelligence System

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability	100.00%	99.90%	n.a.	✓
Reliability	365.0 days ^a	n.a. ^b	n.a.	n.a.
Users	36,492	n.a.	n.a. ^c	n.a.
Searches	1,940,226	n.a.	n.a. ^c	n.a.

n.a. = not applicable

a Average period of operation between unplanned outages.

b Board-agreed benchmark for system reliability will be developed during 2023–24.

c The 4-year average is not available because the National Criminal Intelligence System was new to production in 2021–22.

Checking services

The ACIC works with Commonwealth, state and territory agencies to deliver checking services which enhance the safety of the community by providing timely and accurate offence history information that helps organisations to make informed decisions about the suitability of applicants for a range of employment, registration, licensing and other entitlements.

The ACIC conducts regular audits to ensure that only authorised users who require access to its systems have that access.

National Police Checking Service

The ACIC works with Australian police agencies and bodies accredited by the ACIC to deliver the NPCS, which helps to protect the safety of the community by minimising the risk of appointing someone unsuitable to a position of trust. Police agencies and accredited bodies are able to submit requests to the ACIC, through the National Police Checking Service Support System, for nationally coordinated criminal history checks.

Accredited bodies include certain 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 demand for nationally coordinated criminal history checks continued to rise in 2022–23, and the NPCPS processed more than 7 million checks. The ACIC also increased its focus on the correct submission of urgent checks and implemented a permanent secondary clearing capability to improve the time taken to process checks. The secondary clearing capability clears checks upon submission, which reduces the number of referrals that are sent to police jurisdictions for manual review and processing.

Table 5.12 summarises key statistics for the service in 2022–23.

Table 5.12: National Police Checking Service statistics

Measure	2022–23 result	Board-agreed benchmark	4-year average	Result ≥ benchmark/average
Availability ^a	99.83%	99.00%	n.a.	✓
Timeliness – non-urgent checks completed within 10 business days	94.72%	95.00%	n.a.	X
Timeliness – urgent checks completed within 5 business days	95.68%	95.00%	n.a.	✓
Checks processed	7,183,285	n.a.	6,048,588	✓

n.a. = not applicable

a Availability of the National Police Checking Service Support System.

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.

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, supported by criminal history and risk assessment information, to vet WWCC applicants or to monitor current WWCC holders.

Integration is now complete in all jurisdictions except the Northern Territory, which is considering legislative changes to assist with its integration to ensure a federated approach.

The national reference system permits agencies to search for key negative decisions of interstate screening agencies when deciding upon a new application. During 2022–23, there were over 1.2 million searches conducted. The system also permits agencies to undertake batch searches of all current cardholders against the national dataset, to ensure no negative notices for cardholders in that state or territory. There were over 154 million batch checks during 2022–23.



This section summarises legislative changes and legal actions involving the ACIC in 2022–23, including outcomes of criminal proceedings and judicial reviews of administrative decisions.



SECTION 6

LEGISLATIVE FRAMEWORK AND LEGAL ACTIONS

▶ Legislative changes	48
– <i>Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2022</i> . . .	48
– National Anti-Corruption Commission Acts	48
– Intelligence Services Legislation Amendment Bill 2023	49
▶ Parliamentary committees	49
▶ Charges and convictions	49
▶ Proceeds of crime actions	50
▶ Contempt proceedings	51
▶ Judicial reviews	53

Legislative changes

In 2022–23, changes were made to the legislative frameworks for special ACIC operations and special ACIC investigations and the oversight of the ACIC.

Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2022

The *Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2022* (the Amendment Act) commenced on 10 December 2022, making a number of technical amendments to the ACC Act.

Under the ACC Act, the ACIC may use its legislated coercive powers only where the ACIC Board makes a determination for a special ACIC operation or special ACIC investigation. The board may exercise the power to authorise special ACIC operations or special ACIC investigations only when it considers that it is in the public interest to do so.

The Amendment Act ensures greater certainty with respect to the powers of the ACIC Board to authorise special ACIC operations and special ACIC investigations, by repealing the multi-layered definition of ‘federally relevant criminal activity’ and replacing it with a new definition of ‘federally relevant crime’. The definition of ‘relevant crime’ in section 4(1) has also been amended.

The Amendment Act does not expand the jurisdiction of, or otherwise alter the powers available to, the ACIC in the course of undertaking a special ACIC operation or special ACIC investigation. The Amendment Act ensures that the ACIC can continue to exercise its powers with greater legal clarity when conducting activities to combat transnational and serious organised crime in Australia.

The Amendment Act also made minor consequential amendments to the *Parliamentary Joint Committee on Law Enforcement Act 2010* and the *Telecommunications (Interception and Access) Act 1979*.

National Anti-Corruption Commission Acts

The *National Anti-Corruption Commission Act 2022* and the *National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022* received Royal Assent on 12 December 2022.

The Acts established the National Anti-Corruption Commission (NACC) – an independent Commonwealth agency that enhances integrity in the Commonwealth public sector by deterring, detecting and preventing corrupt conduct involving Commonwealth public officials. The NACC does this through education, monitoring, investigation, reporting and referral.

The NACC commenced its operations on 1 July 2023. The ACIC’s CEO, examiners and employees fall within the jurisdiction of the NACC. The ACIC will also have responsibilities regarding the referral of corruption issues to the NACC.

Prior to the commencement of the NACC, the ACIC worked closely with the Australian Commission for Law Enforcement Integrity (ACLEI) on corruption matters, and the ACIC CEO was required to notify the Integrity Commissioner of any corruption issues related to the ACIC. Under the *National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022*, ACLEI was subsumed into the NACC.

Intelligence Services Legislation Amendment Bill 2023

The Intelligence Services Legislation Amendment Bill 2023 was introduced to Parliament on 22 June 2023. The Bill aims to enhance oversight of the National Intelligence Community, and if enacted would expand the jurisdictions of the Parliamentary Joint Committee on Intelligence and Security and the Inspector-General of Intelligence and Security to include all of the ACIC.

Parliamentary committees

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.

The ACIC appeared at a Parliamentary Joint Committee on Law Enforcement (PJCLE) public hearing in relation to its 2020–21 and 2021–22 annual reports on 25 November 2022. The PJCLE presented its *Examination of the Australian Criminal Intelligence Commission Annual Report 2020–21 and 2021–22* in March 2023.

The PJCLE conducted an inquiry into Australia's illicit drug problem: Challenges and opportunities for law enforcement. The ACIC provided a submission to the inquiry in January 2023, and attended a public hearing of the inquiry on 26 September 2023.

The ACIC appeared before the Senate Legal and Constitutional Affairs References Committee, as part of Budget Estimates hearings for the 2022–23 Budget, on 7 November 2022, and the 2023–24 Budget, on 25 May 2023. Transcripts of the proceedings and responses to questions on notice are available on the committee's website.

Charges and convictions

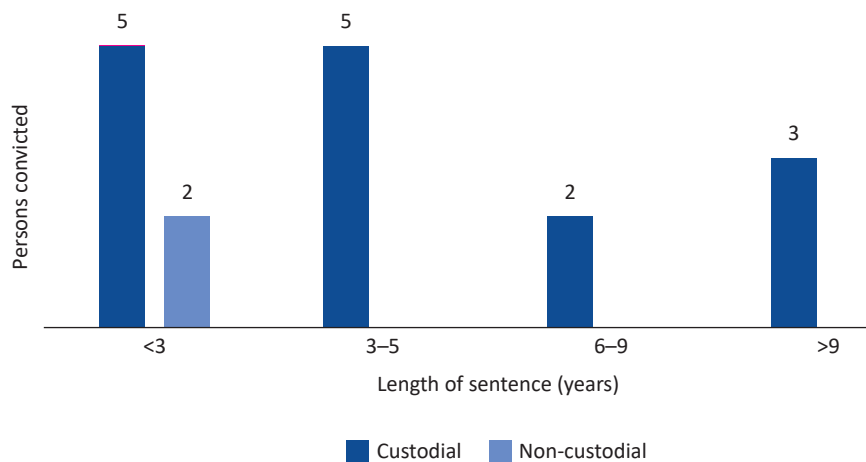
In 2022–23, as a result of ACIC intelligence, law enforcement partners charged 131 people with criminal offences, laying a total of 746 charges. The number of arrests was slightly below the 4-year historical average of 143. The number of charges laid was well above the historical average of 462, because several people were charged with more than 70 offences each.

As a result of law enforcement partners' prosecutions arising from ACIC intelligence, 17 convictions were secured in 2022–23, including convictions for offences related to illicit drugs and money laundering. These results include persons charged in previous years.

No prosecutions were brought for offences against the ACC Act. However, the conduct which may constitute an offence can also be dealt with by way of contempt proceedings under the ACC Act. In some cases, it will be appropriate to institute contempt proceedings rather than proceed by way of prosecution.

The sentencing outcomes of convictions related to ACIC intelligence are shown in Figure 6.1.

Figure 6.1: Sentencing outcomes of convictions arising from ACIC intelligence 2022–23



Note: These results relate to persons who appeared before a court for sentencing during 2022–23 and include persons charged in previous years.

Proceeds of crime actions

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 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.

In conjunction with its partners, the ACIC works to undermine the profitability of criminal enterprises. 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 2022–23

Type	Amount (\$m)
Restrained ^a	0.00
Confiscated ^b	0.00
Recovered ^c	120.00

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 sale of assets is paid to the government.

Contempt proceedings

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

Six contempt proceedings were finalised in 2022–23. In 3 instances, the court had already imposed an indefinite period of imprisonment but the witnesses had applied to have their sentences fixed by the court.

DT021 v Australian Crime Commission [2022] FCAFC 190

In August 2022, DT021 (a court-ordered pseudonym) was re-sentenced to a fixed term of 12 months imprisonment in relation to contempt proceedings brought by the ACIC for refusing to answer questions.

On 8 September 2022, DT021 filed an appeal against the fixed sentence period. The appeal was heard on 27 October 2022. On 30 November 2022, the Full Court of the Federal Court dismissed DT021's appeal against sentence and upheld the fixed sentence of 12 months imprisonment.

Sage v CFS22 [2022] FCA 1023

CFS22 (a court-ordered pseudonym) appeared before an ACIC examiner in answer to a summons. CFS22's contempt comprises refusing to answer 2 questions which the examiner required him to answer. On 29 June 2022, contempt proceedings were commenced in the Federal Court.

CFS22 entered a plea of guilty on 24 August 2022. On 5 September 2022, CFS22 was sentenced in relation to 2 charges of contempt of the ACIC for refusing to answer questions the examiner required him to answer. CFS22 was sentenced to 8 months imprisonment to be released after the expiry of 4 months on the condition that he be of good behaviour for the balance of his sentence.

Sage v CFT22 [2022] FCA 1028 (6 September 2022) and Sage v CFT22 (No 2) [2023] FCA 594

CFT22 (a court-ordered pseudonym) appeared before an ACIC examiner in answer to a summons. CFT22 refused or failed to take an oath or affirmation when required to do so pursuant to section 28 of the ACC Act and contrary to section 34A(a)(i) of the Act.

On 6 September 2022, CFT22 was sentenced in relation to one charge of contempt of the ACIC for refusing or failing to take an oath or affirmation when required to do so. CFT22 was sentenced to imprisonment commencing from the day before his parole eligibility date until further order of the court.

On 5 June 2023, upon application by CFT22, the court fixed CFT22's sentence so that he was imprisoned on and from 20 May 2023 until 27 July 2023. The sentence was suspended on 29 June 2023.

Lusty (Examiner) v DEZ22 [2022] FCA 1581 and Lusty v DEZ22 (No 2) [2023] FCA 858

DEZ22 (a court-ordered pseudonym) appeared before an ACIC examiner in answer to a summons. DEZ22 was asked 6 questions which the examiner required him to answer. DEZ22 refused to answer each question. On 26 September 2023, contempt proceedings were commenced in the Federal Court.

On 11 November 2022, DEZ22 pleaded guilty to 6 charges of contempt of the ACIC.

On 21 December 2022, DEZ22 was sentenced in relation to 6 charges of contempt of the ACIC for refusing to answer questions an examiner required him to answer. DEZ22 was sentenced to imprisonment until further order of the court.

On 28 June 2023, upon application by DEZ22, the court fixed DEZ22's sentence. DEZ22 was sentenced to 12 months imprisonment, backdated to commence on 21 December 2022. The sentence was suspended from 28 June 2023 and subject to conditions until its expiry.

Lusty (Examiner) v DER22 [2023] FCA 255

DER22 (a court-ordered pseudonym) appeared before an ACIC examiner in answer to a summons. DER22 was asked 6 questions which the examiner required him to answer. DER22 refused to answer each question. On 23 September 2023, contempt proceedings were commenced in the Federal Court.

On 28 November 2022, DER22 indicated that he would plead guilty to 6 charges of contempt of the ACIC. He subsequently appeared before the examiner and purged his contempt by answering the questions subject of the contempt proceedings.

On 2 February 2023, DER22 was declared guilty and sentenced in relation to 6 charges of contempt of the ACIC for refusing to answer questions an examiner required him to answer. DER22 was sentenced to 4 months imprisonment wholly suspended with a condition that he be of good behaviour for a period of 12 months, commencing on 2 February 2023.

Lusty v CVA22 [2023] FCA 130

CVA22 (a court-ordered pseudonym) appeared before an ACIC examiner in answer to a summons. CVA22 was asked 7 questions which the examiner required him to answer. CVA22 refused to answer each question. On 10 August 2022, contempt proceedings were commenced in the Federal Court. CVA22 subsequently pleaded guilty to 7 charges of contempt.

On 23 February 2023, CVA22 was sentenced in relation to the 7 charges of contempt of the ACIC for refusing to answer questions the examiner required him to answer. CVA22 was sentenced to 8 months imprisonment.

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 2022–23, there were 4 decisions that had or could have had a significant effect on the operation of the ACIC. The outcomes of these matters are reported below.

DCL22 v Sage [2022] FCA 1310 and *DCL22 v Sage* [2022] FCAFC 196

On 13 September 2022, DCL22 (a court-ordered pseudonym) sought judicial review of an ACIC examiner's decision to issue a summons under a special ACIC investigation pursuant to section 28 of the ACC Act (the judicial review proceedings). DCL22 also opposed the ACIC's public interest immunity (PII) claim over parts of the ACIC examiner's reasons for issuing the summons (the PII proceedings).

In *DCL22 v Sage* [2022] FCA 1310, the Federal Court of Australia upheld the ACIC's PII claim over parts of the examiner's reasons. DCL22 appealed this decision and raised constitutional grounds in the appeal. In *DCL22 v Sage* [2022] FCAFC 196, the Full Court of the Federal Court refused DCL22's application for leave to appeal the PII decision. Thereafter, the Full Court ordered the judicial review application be remitted to the single judge of the Federal Court for hearing and determination.

On 17 March 2023, the examiner withdrew the summons requiring DCL22 to appear before an ACIC examiner. The judicial review proceedings were discontinued by consent.

Zirilli v The King [2023] VSCA 64

Saverio Zirilli sought leave to appeal his convictions and the production of certain documents from the ACIC under section 317 of the *Criminal Procedure Act 2009* (Vic.). The ACIC resisted the production of some documents (or parts of documents) on the basis of the statutory prohibition at section 63 of the *Telecommunications (Interception and Access) Act 1979* and on the basis of PII.

In *Zirilli v The Queen* [2021] VSCA 305, the Supreme Court of Victoria Court of Appeal upheld the statutory prohibition in relation to some of the documents but found that the public interest weighed in favour of the disclosure of others. The ACIC sought a review of this decision on jurisdictional grounds and also on an error of law. In *Zirilli v The King* [2022] VSCA 192, the court discharged the earlier judgment on jurisdictional grounds and referred the matter back to the Victorian Court of Appeal to hear the statutory prohibition argument.

On 31 March 2023, the Victorian Court of Appeal in *Zirilli v The King* [2023] VSCA 64 concluded that:

- a. the objections to production made by the AFP and ACIC on the basis of PII should be upheld
- b. the objections to production made by the ACIC on the basis of the statutory prohibition should not be upheld.

In relation to the statutory prohibition argument, the court concluded that the applicant's proposed appeal was a 'proceeding by way of prosecution' for the offences for which he stood convicted, and was therefore an 'exempt proceeding' in which interception warrant information may be adduced in evidence under the *Telecommunications (Interception and Access) Act 1979*.

JAM (a pseudonym) v Commissioner of the Australian Federal Police and Australian Criminal Intelligence Commission

On 4 November 2022, the plaintiff filed an originating application in the High Court which named the AFP and ACIC as defendants. The plaintiff's application, relating to charges that appeared on his AFP-issued police check, raised constitutional issues. The plaintiff sought declaratory relief together with a writ of mandamus under section 75(v) of the Constitution, commanding the AFP remove certain entries from his National Police Certificate. The ACIC was named as a defendant due to its function as an administrator of the National Police Checking Service Support System.

On 2 February 2023, the proceedings were discontinued in the High Court by consent of the parties with no order as to costs.

Terrance Elfar (formerly EGS21) v Commonwealth of Australia [2022] FCA 1402

The prospective applicant applied for preliminary discovery under rule 7.23 of the Federal Court Rules 2011. The documents sought related to the prospective applicant's compulsory examination in 2010 and discovery was sought on the basis that the applicant did not have sufficient information to decide whether to start a proceeding seeking relief arising from the conduct of a compulsory examination under the ACC Act.

On 25 November 2022, the Federal Court dismissed the application on the basis that the prospective applicant did not satisfy the court that all of the requirements in rule 7.23 had been met. Specifically, the court did not accept:

- a. the applicant did not have sufficient information to start the proceedings
- b. inspection of the documents would assist in making the decision.

List of abbreviations

ACC Act	<i>Australian Crime Commission Act 2002</i>
ACIC	Australian Criminal Intelligence Commission
ACID	Australian Criminal Intelligence Database
ACLEI	Australian Commission for Law Enforcement Integrity
AFP	Australian Federal Police
ALEIN	Australian Law Enforcement Intelligence Network
Amendment Act	<i>Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2022</i>
AUSTRAC	Australian Transaction Reports and Analysis Centre
CEO	Chief Executive Officer
DVOs	domestic violence orders
NACC	National Anti-Corruption Commission
NAFIS	National Automated Fingerprint Identification System
NCIS	National Criminal Intelligence System
NPCS	National Police Checking Service
NPISS Special Account	National Policing Information Systems and Services Special Account
NPRS	National Police Reference System
OMCGs	outlaw motorcycle gangs
PII	public interest immunity
PJCLE	Parliamentary Joint Committee on Law Enforcement
WWCC	Working with Children Card

Index

A

accredited bodies, National Police Checking Service, 45
Administrative Decisions (Judicial Review) Act 1977, 53
Annual Report 2022–23, 22, 32, 36, 37
annual reports, parliamentary committee examination of, 49
Attorney-General, 2
 department, 8
 portfolio, 2, 8
Australian Ballistic Information Network, 38–39
Australian Border Force, 39
Australian Commission for Law Enforcement Integrity, 49
Australian Crime Commission Act 2002 (ACC Act), 2, 37, 43
 amendments to, 48
 and contempt proceedings, 49, 51
 and judicial reviews, 53, 54
 and prosecutions, 49
 annual report provisions, 2–3
 board provisions, 8, 20, 48
 special powers provisions, 21, 28, 48, 54
Australian Crime Commission Amendment (Special Operations and Special Investigations) Act 2022, 48
Australian Criminal Intelligence Commission (ACIC)
 Annual Report 2022–23, 22, 32, 36, 37
 annual reporting approach, 2–3
 contempt of, 49, 51–52
 Corporate Plan 2022–23, 22, 32
 judicial reviews involving, 53–54
 legislative framework, 2, 48–49
 portfolio arrangements, 2
 purpose, 2
 Strategic Direction 2023–27, 9
 vision, 4
Australian Criminal Intelligence Commission Board
 annual reporting approach, 2
 Chair's review, 4–5
 determinations, 9, 20, 22–31
 matters considered, 9
 meetings, 8
 members and observers, 8
 National Policing Systems Subcommittee, 9
 role and functions, 8

Australian Criminal Intelligence Database (ACID), 43
Australian Federal Police, 8, 53, 54
Australian Firearms Information Network, 39
Australian Law Enforcement Intelligence Network (ALEIN), 43
Australian National Child Offender Register, 42
Australian Transaction Reports and Analysis Centre (AUSTRAC), 8
Austroads, 39

B

ballistics data matches, 4, 38–39
biometric and forensic systems, 40–42
Black Economy Standing Taskforce, 23
board *see* Australian Criminal Intelligence Commission Board
board determinations, 9, 20, 22–31
board-established task forces, 9, 21

C

cash and assets seizures, 4
 see also proceeds of crime actions
Chair's review, 4–5
characteristics of serious and organised crime, 12
charges and convictions, 33, 49–50
checking services, 5, 9, 44–45
Chief Executive Officer annual report, 2
 see also *Annual Report 2022–23*
child abuse *see* sexual exploitation and abuse of children
coercive powers, 21, 48
Constitution, 54
contempt proceedings, 49, 51–52
convictions, 49–50
Corporate Plan 2022–23, 22, 32
Court Portal, 42–43
Criminal Assets Confiscation Taskforce, 23
criminal charges, 33, 49
criminal environment, Australia's, 12–17
Criminal Exploitation of Australia's Migration System 2020 (special ACIC operation), 31, 33
criminal history checks, 5

criminal intelligence
 delivery, 4, 36–37
 products, 4, 36–37
 systems, 43–44
see also special ACIC investigations and special ACIC operations

cybercrime, 12, 17, 22–23
see also financial crime; technology-enabled crime

Cybercrime 2022 (special ACIC operation), 23, 33

Cyber-Related Offending 2020 (special ACIC operation), 22

D

dark web, 12, 13, 22

Department of Home Affairs, 8

determinations, board, 9, 20, 22–31

disaster victim identification, 41

disclosure of information to external bodies, 37

disruptions of criminal activity, 4, 22, 33

disseminations of intelligence products, 4, 36–37

DNA profiles, 41

domestic violence orders, 42–43

Drugs 2022 (special ACIC operation), 27, 33

drugs and precursor chemicals *see* illicit drugs

E

Emerging Organised Crime Threats 2020 (special ACIC operation), 29, 33

enablers of serious and organised crime, 13–14

encryption, criminal use of, 13, 17

environmental crime, 17

Examination of the Australian Criminal Intelligence Commission Annual Report 2020–21 and 2021–22, 49

examinations, 4, 21
 and judicial reviews, 54

examiners, 21
 and contempt proceedings, 51–52
 and judicial reviews, 53
 coercive powers, 21

extortion, 25

F

facilitators of crime, 12, 13, 25, 29, 31

Federal Court of Australia, 51–52, 53, 54

financial crime, 12, 13, 17, 23–24, 25

financial statements, ACIC, 2

fingerprint data matches, 4, 40

Fintel Alliance, 23

Firearm Trafficking 2020 (special ACIC operation), 28, 33

Firearms 2022 (special ACIC operation), 28, 33

firearms *see* illicit firearms

Foreign Interference Impacts from Serious and Organised Crime 2021 (special ACIC operation), 29

forensic and biometric systems, 40–42

fraud, 13, 17, 23–24, 31

Fraud Fusion Taskforce, 9

frontline systems, 37–40

G

gangs, 16, 25

H

High Court of Australia, 54

High Risk and Emerging Drugs 2020 (special ACIC operation), 27, 33

Highest Risk Criminal Targets 2020 (special ACIC investigation), 25, 33

highest-risk serious and organised crime (priority crime theme), 25–26

Home Affairs
 department, 8, 39, 40
 portfolio, 8

human remains identification, 41

human trafficking and slavery, 17, 30

I

identity crime, 13
see also cybercrime

Illicit Drug Data Report, 27

illicit commodities, markets for, 14–17, 25

illicit drugs, 25, 27, 29
 key substances, 15–16
 markets, 14–16
 parliamentary inquiry, 49
 reports on, 4, 15–16, 27
 seizures, 4
 special ACIC operations, 27

- illicit firearms, 16–17, 25, 28
 - information systems, 38–39
 - market, 16–17
 - special ACIC operations, 28
- illicit tobacco, 4, 16, 29, 30
- Illicit Tobacco 2022 (special ACIC operation), 30, 33
- information disclosed to prescribed private sector bodies, 37
- Inspector-General of Intelligence and Security, 49
- intellectual property crime, 17
- intelligence products, 4, 36–37
- Intelligence Services Legislation Amendment Bill 2023, 49
- Inter-Governmental Committee, 2
- Interpol, 41
- investigations *see* special ACIC investigations and special ACIC operations

J

- judicial reviews, 53–54
- Judiciary Act 1903*, 53

L

- legal challenges, 51–54
- legislative changes, 48–49
- letter of transmittal, ii

M

- Managed Person System, 42
- markets for serious and organised crime, 14–17
- Migration Act 1958*, 31
- migration fraud, 17
- missing persons identification, 41
- money laundering, 13, 17, 23–24, 25
- motorcycle gangs, 16, 25

N

- NAFIS NextGen, 5, 40
- National Anti-Corruption Commission, 48–49
- National Anti-Corruption Commission Act 2022*, 48
- National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022*, 48–49
- National Automated Fingerprint Identification System (NAFIS), 5, 40

- National Child Offender System, 42
- national criminal intelligence priorities, 9
- National Criminal Intelligence System (NCIS), 5, 9, 37, 43, 44
- National Criminal Investigation DNA Database, 41
- National Disability Insurance Scheme, 9
- National Domestic Violence Order Scheme, 43
- National Drug Strategy, Australian Government, 27
- National Exchange of Vehicle and Driver Information System, 39
- National Firearms Identification Database, 38
- National Firearms Register, 9
- National Intelligence Community, 4, 49
- National Missing Persons and Victim System, 41–42
- National Police Checking Service (NPCS), 5, 9, 44–45
- National Police Checking Service Support System, 44, 54
- National Police Checking Service Working Group, 9
- National Police Reference System (NPRS), 4, 37–38, 42
- National Policing Information Capability Roadmap 2021–25, 9
- national policing information systems and services, 4, 9, 37–44
 - biometric and forensic, 40–42
 - criminal intelligence, 43–44
 - frontline, 37–40
 - protection, 42–43
- National Policing Information Systems and Services Special Account, 9
- National Policing Systems Subcommittee, ACIC Board, 9
- national security, 12, 25–26
- National Security Impacts from Serious and Organised Crime 2020 (special ACIC operation), 26
- National Security Threats 2022 (special ACIC operation), 26
- National Task Force Morpheus, 21
- National Vehicles of Interest System, 39–40
- National Wastewater Drug Monitoring Program, 4, 15–16, 27
- nationally coordinated criminal history checks, 5, 45
- New South Wales Police Force, 5, 44
- New Zealand Police, 41
- NPCS Working Group, 9

O

operations *see* special ACIC investigations and special ACIC operations

organised crime *see* serious and organised crime

other criminal threats to Australia (priority crime theme), 29–31

outlaw motorcycle gangs, 16, 25

Outlaw Motor Cycle Gangs 2020 (special ACIC operation), 25

P

palm print identifications, 40

parliamentary committee inquiries, 49

Parliamentary Joint Committee on Law Enforcement Act 2010, 48

Parliamentary Joint Committee on Intelligence and Security, 49

Parliamentary Joint Committee on Law Enforcement, 49

partners receiving intelligence products, 4, 36–37

people smuggling, 26

persons charged, 33, 49

Phoenix Taskforce, 23

portfolio arrangements, ACIC, 2, 8

priority crime themes, ACIC, 22–31

Proceeds of Crime Act 2002, 50

proceeds of crime actions, 50

see also Criminal Assets Confiscation Taskforce; seizures

professional facilitators of crime, 12, 13, 25, 29, 31

protection orders, 42–43

protection systems, 42–43

Public Governance, Performance and Accountability Act 2013, 2

public sector corruption, 14

purpose, ACIC, 2

Q

quantitative results, special ACIC investigations and special ACIC operations, 32–33

Queensland Police Service, 5, 44

R

reports, ACIC, 2, 49

Annual Report 2022–23, 22, 32, 36, 37

Illicit Drug Data Report, 27

National Wastewater Drug Monitoring Program reports, 4, 15–16

S

seizures, 4

see also proceeds of crime actions

Senate Legal and Constitutional Affairs References Committee, 49

sentencing outcomes, 49–50

serious and organised crime

disruptions of, 4, 22, 33

intelligence on *see* criminal intelligence

key characteristics, 12

key enablers, 13–14

key markets, 14–17

priority threats to Australia, 22–31

use of facilitators, 12, 13, 25, 29, 31

use of technology, 12, 13, 17, 22–23

Serious Financial Crime 2022 (special ACIC operation), 24, 33

Serious Financial Crime Taskforce, 23

sexual exploitation and abuse of children, 13, 17, 30, 42

see also checking services; protection systems

slavery and human trafficking, 17, 30

special ACIC investigations and special ACIC operations, 4, 20–33

aims and activities, 22–31

board determinations, 9, 20, 22–31

board-established task forces, 21

priority areas, 22

quantitative results, 32–33

special powers, 21, 48

Special Australian Criminal Intelligence Commission Investigation Determination (Highest Risk Criminal Targets) 2020, 25

Special Australian Criminal Intelligence Commission Investigation Determination (Targeting Criminal Wealth) 2020, 24

Special Australian Criminal Intelligence Commission Operation Determination (Criminal Exploitation of Australia's Migration System) 2020, 31

Special Australian Criminal Intelligence Commission Operation Determination (Cybercrime) 2022, 23

Special Australian Criminal Intelligence Commission Operation Determination (Cyber-Related Offending) 2020, 22

Special Australian Criminal Intelligence Commission Operation Determination (Drugs) 2022, 27

Special Australian Criminal Intelligence Commission Operation Determination (Emerging Organised Crime Threats) 2020, 29

Special Australian Criminal Intelligence Commission Operation Determination (Firearms) 2022, 28

Special Australian Criminal Intelligence Commission Operation Determination (Firearm Trafficking) 2020, 28

Special Australian Criminal Intelligence Commission Operation Determination (Foreign Interference Impacts from Serious and Organised Crime) 2021, 29

Special Australian Criminal Intelligence Commission Operation Determination (High Risk and Emerging Drugs) 2020, 27

Special Australian Criminal Intelligence Commission Operation Determination (Illicit Tobacco) 2022, 30

Special Australian Criminal Intelligence Commission Operation Determination (National Security Impacts from Serious and Organised Crime) 2020, 26

Special Australian Criminal Intelligence Commission Operation Determination (National Security Threats) 2022, 26

Special Australian Criminal Intelligence Commission Operation Determination (Outlaw Motor Cycle Gangs) 2020, 25

Special Australian Criminal Intelligence Commission Operation Determination (Serious Financial Crime) 2022, 24

Special Australian Criminal Intelligence Commission Operation Determination (Supply Chains (Imports and Exports)) 2022, 29–30

Special Australian Criminal Intelligence Commission Operation Determination (Victim-Based Crime) 2022, 30

Special Australian Criminal Intelligence Commission Operation Determination (Visa and Migration Fraud) 2022, 31

special powers, special ACIC investigations and special ACIC operations, 21, 48

sports integrity sector, 37

strategic and operational insights, 36

strategic assessments, 36

Strategic Direction 2023–27, 9

supply chains, 12

(Supply Chains (Imports and Exports)) 2022 (special ACIC operation), 29–30, 33

Supreme Court of Victoria, 53

T

Targeting Criminal Wealth 2020 (special ACIC investigation), 24, 33

Task Force Reston, 9, 21

task forces, 9, 21, 23

technology-enabled crime, 12, 13, 17, 22–23

Telecommunications (Interception and Access) Act 1979, 48, 53, 54

terrorism, 26

Therapeutic Goods Act 1989, 27

tobacco *see* illicit tobacco

transnational crime markets, 17

Transnational Criminal Intelligence Task Force (Vestigo Task Force), 21

U

United Kingdom National Crime Agency, 36

United States Drug Enforcement Administration, 36

V

vehicles of interest, 39

Vestigo Task Force, 21

victim-based crime, 12, 30

Victim-Based Crime 2022 (special ACIC operation), 30

Victoria Police, 5, 44

violence and intimidation, 14, 25

visa and migration fraud, 17, 31

Visa and Migration Fraud 2022 (special ACIC operation), 31

vision, ACIC, 4

W

wastewater drug monitoring reports, 4, 15–16

Western Australia Police Force, 5, 44

Working with Children Card, 45

Working with Children Checks National Reference System, 45

The Australian Criminal Intelligence Commission acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their connection to land, sea and community. We pay our respects to the people, the cultures and the elders past, present and emerging.

The ACIC is Australia's national criminal intelligence agency.
We provide mission critical intelligence to deliver our vision:
An Australia hostile to criminal exploitation.

[acic.gov.au](https://www.acic.gov.au)