



AUSTRALIAN
**CRIMINAL
INTELLIGENCE
COMMISSION**

Information Publication Scheme -

Agency Plan

August 2018

Version 2.0

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Background

The Australian Crime Commission was established under the *Australian Crime Commission Act 2002* (Cth) (the ACC Act)¹ and under the Machinery of Government (MoG) changes effective from 1 July 2016 the Australian Crime Commission and CrimTrac agencies merged to become the Australian Criminal Intelligence Commission (ACIC).

The ACIC was formed to strengthen the ability to respond to crime affecting Australia. The agency, through its investigative, research and information delivery services, works with law enforcement partners to improve the ability to stop criminals exploiting emerging opportunities and perceived gaps in law enforcement information.

The ACIC is subject to the *Freedom of Information Act 1982* (Cth) (FOI Act)² However, in accordance with section 8C(2) of the FOI Act and section 51 of the ACC Act the ACIC is not required to publish any information under the FOI Act otherwise than as permitted or required by the ACC Act.

The ACIC recognises that public sector information is a national resource managed for public purposes. To the extent permitted by the ACC Act, our agency promotes a culture of appropriate proactive disclosure similar to that required by the Information Publication Scheme (IPS).

The ACC Act prescribes the circumstances where certain ACIC information can be disclosed. To this end, the ACIC discloses information to others, including law enforcement agencies and agencies that are prescribed in the *Australian Crime Commission Regulations 2002*.³ However, much of this information cannot be lawfully disclosed to the public.

Purpose

The purpose of this plan is to:

- ensure the ACIC complies with section 8 of the FOI Act to the extent permitted by the ACC Act
- assist the ACIC in applying appropriate procedures to enable proactive publication of its information holdings to the extent permitted by the ACC Act
- detail what information the ACIC proposes to publish, how and to whom the information will be published, and how the ACIC will otherwise implement an appropriate IPS

Objectives

The objectives of this Plan are to outline the mechanisms and procedures being established by the ACIC to:

- manage the agency's IPS information holdings
- proactively identify and publish all information required to be released to the extent permissible under the ACC Act secrecy and disclosure provisions, including this plan
- proactively identify and publish any optional information to be released (s8(4))
- ensure information published under the IPS is accurate, up to date and complete (s8B)
- ensure the ACIC's disclosure log is in place
- ensure that information published under the IPS is easily located, understandable, readable, and re-useable

¹ [Australian Crime Commission Act 2002](#)

² [Freedom of Information Act 1982](#)

³ [Australian Crime Commission Regulations 2002](#)

- ensure that the format of online content conforms with the Web Content Accessibility Guidelines (level 2) (WCAG 2.0)
- review compliance of the ACIC's IPS contribution

Management of Information Publication Scheme

The ACIC's ongoing compliance with the IPS will be coordinated by the ACIC's Information Management team in conjunction with the IPS Working Group. The Chief Operating Officer is the IPS 'Information Champion' for the ACIC.

Dedicated 'Information Publication Scheme' and FOI Disclosure Log web pages have been created on the ACIC's website <https://www.acic.gov.au/> in accordance with the principles set out in the Australian Information Commissioner's Guidance for Agency Websites issued on March 2011 (now the "Freedom of Information" approach in the updated guidelines issued on 11 September 2012).⁴

The ACIC will list on its website any documents that are unable to be published online. The website will state that a person seeking access to any of these documents may contact foi@acic.gov.au to arrange access.

Where it is impracticable to publish an IPS document online, the ACIC may charge for access, but only:

- at the lowest reasonable cost; and
- to reimburse specific reproduction costs or other specific incidental costs (s8D(4)).

The list of documents will include indicative charges that may be imposed for making that information available and an explanation for the charge. These charges will be consistent with charges in the *Freedom of Information (Charges) Regulations 1982* (which generally apply to access requests under Part III of the FOI Act). A list of the charges that may apply under the IPS is provided at Appendix A.

Information architecture and accessibility

The ACIC will publish its IPS information holdings on its website.

The IPS information holdings available on the ACIC website will be published under the following headings:

- Agency plan (ss 8(2)(a))
- Who we are (ss 8(2)(b) and 8(2)(d))
- What we do (ss 8(2)(c) and 8(2)(j))
- Our reports and responses to Parliament (ss 8(2)(e) and 8(2)(h))
- Routinely requested information and disclosure log (ss 8(2)(g) and 11C)
- Operational information
- Contact us

⁴ [Guidance for agency websites: access to information](#)

To ensure the IPS information holdings and individual IPS documents are easily discoverable, understandable and machine readable, the ACIC will:

- publish an 'Access to Information' icon on the homepage of its website, which will link to the IPS section of the website
- design and publish an IPS entry point on the website
- wherever possible, provide online content in a format that can be searched, copied and transformed
- publish a sitemap for its website, to help individuals identify the location of information published under ss8(2) and 8(4)
- provide a search function for the website
- establish links to this plan and to the sitemap at www.directory.gov.au
- respond to community feedback about whether the IPS information holdings (and individual IPS documents) are easily discoverable, understandable and machine readable.

Information required to be published under the IPS

The ACIC will publish documents required to be published under the IPS where such publication is permitted under the ACC Act.

The ACIC will publish these documents under the following headings on the ACIC website:

Who we are

- This will include links to the organisation chart, Enterprise Agreement and information about statutory appointments.
- For statutory appointments, the ACIC will publish the name of the person appointed, the length or term of appointment, the position to which the person is appointed and the provision of the Act under which the person is appointed.

What we do

- This will outline the functions and decision making powers of the ACIC, and the ACIC Board.
- The ACIC will also publish documents relevant to members of the public, to the extent permitted under the ACC Act.

Our reports and responses to Parliament

- This will include links to the Annual Reports, the Senate Order Contracts list and the Senate File Lists.

Routinely requested information

- This will include information in documents to which the ACIC routinely gives access in response to FOI requests.
- The ACIC will clearly identify these documents in its disclosure log subject to the exceptions identified in section 11C(1). Where information is subject to these exceptions a notation will be made on the disclosure log indicating that the documents have been released in part. Where information subject to these exceptions is not released at all, the ACIC will comply with any direction from the OAIC as to how that information should otherwise be recorded for the purposes of reporting on that information to the OAIC.

Consultation

- The ACIC is not a policy agency and this section does not apply.

Operational information

- Section 51 of the ACIC Act limits the publication of operational information. In addition, the nature of the ACIC's functions mean much of its operational information would, if published, prejudice law enforcement activities.
- However, from time to time, the ACIC may prepare information of a general nature that explains the way in which the ACIC exercise its functions and powers in making decisions or recommendations that affect members of the public. This information will be published on the ACIC's website.

Contact us

All FOI enquiries can be made via email or postal addresses:

email: foi@acic.gov.au

post: FOI Coordinator
GPO Box 1936
Canberra ACT 2601

Optional information to be published under the IPS

- The ACIC and its Board may publish information under a range of provisions of the ACC Act, including s 60(4). This information will be assessed for inclusion as operational information.
- The ACIC already publishes a variety of criminal information on its internet site including the Illicit Drug Data Report, Organised Crime in Australia and Wastewater Reports. These regular publications inform the public of current criminal activities occurring within Australia and overseas without risking current ACIC operations and investigations.

Identifying other areas of interest to members of the public

- The ACIC may from time to time also undertake the other steps to ascertain trends or other areas of interest to members of the public, such as:
 1. Preparing a frequently asked questions document received by ACIC media which will indicate common themes; and
 2. Reviewing FOI requests for common themes.
- When considering optional information for possible upload, the ACIC may consider:
 1. What unclassified information ACIC stakeholders seek or would like to have access to;
 2. The level of demand the ACIC experiences for a category of information.

Accessibility under the IPS

The ACIC will ensure that all online information published under the IPS conforms with the WCAG 2.0.

The ACIC will publish any new IPS documents as soon as they are available for publication.

The ACIC will ensure that all new information published on the ACIC website conforms to the WCAG 2.0 requirements. Efforts will be made to publish information in PDF and at least one other format with an option for printed information to be provided on request.

IPS compliance review

The ACIC will review and revise this plan annually (or more frequently as required); to coincide with the ACIC's strategic planning process.

The ACIC will add the IPS to the Strategic Audit Plan and review the operation of its IPS at least every five years. The review will be conducted in collaboration and in accordance with the better practice guidelines issued by the Information Commissioner.

Appendix A

Where it is impracticable to publish an IPS document online, the ACIC may charge for access, but only:

- at the lowest reasonable cost; and
- to reimburse specific reproduction costs or other specific incidental costs (s8D(4)).

The following charges may apply depending on the type of access that is required. The charges set out are in accordance with *Freedom of Information (Charges) Regulations 1982*.

Activity Item	Charge
Photocopy	\$0.10 per page
Electronic copy (disk or tape)	An amount not exceeding the actual costs incurred by the ACIC in producing the copy
Transcript: sound recording, shorthand or similar medium	\$4.40 per page of transcript
Inspection: supervision by an agency officer of inspection of documents, hearing or viewing audio or visual recordings at the agency premises	\$6.25 per half hour (or part thereof)
Delivery: documents	The ACIC may charge for the delivery of documents where requested by the applicant, at an amount not exceeding the actual cost incurred

Document Controls

Version Control

Implementation Date	Version	Business Owner	TRIM Link	Revision Number
April 2011	1	CTO	trim:[11/82475]	Revision 1
November 2017	2	CTO	trim:[17/101979]	Revision 2
August 2018	2	COO	trim:[17/101979]	Revision 3 minor edits
February 2019	2	COO	trim:[17/101979]	Addition of Approvals and Distribution sections

Approvals

Role	Version	Approval Date
CEO	2	21 December 2019

Distribution

Name	Title	Date of Issue	Version
Katie Willis	National Manager Strategic Intelligence		2
Nicole Mayo	Acting Chief Operating Officer		2