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AGENCY OVERVIEW

The Australian Crime Commission (ACC) commenced operations on 1 January 2003. It has its origins in the April 2002 Leaders Summit which agreed that a new national framework was needed to meet the challenges of combating terrorism and multi-jurisdictional crime. The ACC replaced the National Crime Authority (NCA), the Australian Bureau of Criminal Intelligence (ABCI) and the Office of Strategic Crime Assessments (OSCA) to become Australia's national criminal intelligence and investigation agency.

ROLE AND FUNCTIONS

The ACC is established under the *Australian Crime Commission Act 2002* (ACC Act 2002) as a statutory authority to combat serious and organised crime.

The ACC reports directly to the Minister for Home Affairs and forms part of the Attorney-General's portfolio.

In order to ensure the appropriate management and accountability of the ACC, it is governed by the:

- Minister for Home Affairs
- Inter-Governmental Committee on the ACC
- Parliamentary Joint Committee on the ACC
- ACC Board.

The ACC has a range of statutory functions centred on intelligence collection and dissemination and criminal investigations. Among the ACC's functions is recommending national criminal intelligence priorities (NCIPs) to the ACC Board and providing strategic intelligence relating to these priorities.

The ACC Board determines NCIPs, provides strategic direction to and determines priorities for the ACC among other functions.

The ACC works collaboratively with state and territory police forces and Commonwealth agencies such as the Attorney-General's Department (AGD), Australian Federal Police (AFP), Australian Customs Service (Customs), the Australian Securities and Investment Commission (ASIC), the Australian Taxation Office (ATO), the Australian Transaction Reports and Analysis Centre (AUSTRAC) and the Australian Security Intelligence Organisation (ASIO).

The ACC has revised its purpose statement to reflect its ongoing role in linking and unifying the efforts of Commonwealth, state and territory law enforcement agencies, through national intelligence and investigative services, to fight serious and organised crime in Australia.

SPECIAL POWERS

The ACC can draw on special coercive powers which enable it to source information that cannot be accessed through traditional policing methods. Coercive powers can only be applied where the ACC Board approves their use. The coercive powers are similar to those of a Royal Commission which allow the ACC to:

- summons any witness to appear before the ACC
- require that witness to give evidence of their knowledge of matters concerning the criminal activities involving themselves and others upon whom an investigation or intelligence operation is focused, and/or
- require the person to provide documents.

It is an offence to fail to attend an ACC examination, fail to take the oath/affirmation, fail to answer questions, provide false or misleading information under examination or to disclose appearing before and giving evidence to an Examiner upon being summonsed. These offences are punishable by fines and/or imprisonment.

Coercive powers are only used in situations where conventional law enforcement methods have been judged to be insufficient in combating serious and organised crime. Only independent examiners can use the coercive powers.

Our purpose

Unite the fight against nationally significant crime

Our values

Integrity: We are honest, ethical and transparent.

Accountability: We take responsibility for our actions.

Innovation: We are committed to leading edge development of our people, products and processes.

Courage: We undertake our work with courage and commitment. We deliver objective advice without fear or favour.

Empowerment: We nurture a culture where teamwork, communication, consultation and diversity are encouraged.

Our goals

- *Shape the national agenda on fighting serious crime.*
- *Provide solutions for national serious crime priorities.*
- *Maintain a leading edge capability in national criminal intelligence and information services.*
- *Maximise the potential of our people.*
- *Build highly effective business practices that support our strategy.*

ORGANISATIONAL STRUCTURE

From July 2007 a new organisational structure was implemented to reposition the ACC for its future work priorities. Senior management roles were revised, with the agency moving from a three, to two directorate model comprising of:

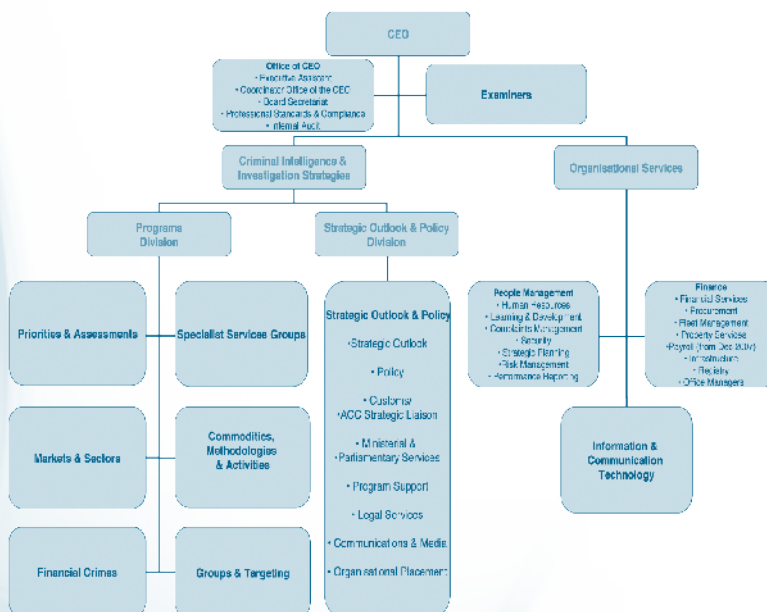
- Criminal Intelligence and Investigation Strategies (CIIS)
- Organisational Services.

The most significant change was the creation of a Strategic Outlook and Policy Division (SOP) within the CIIS Directorate. This enabled better support of operational and statutory requirements by integrating a number of areas previously under the former Strategy and Governance Directorate.

In order to optimise the policy impact of its work, the new SOP division has incorporated a component of the Strategic Intelligence Program, responsible for future-focused strategic assessments. Subsequently, the CIIS Strategic Intelligence was renamed the Priorities and Assessments Program.

The following chart of the revised ACC Organisational Structure illustrates this.

AUSTRALIAN CRIME COMMISSION ORGANISATIONAL STRUCTURE AS AT 1 JULY 2007



ROLES AND RESPONSIBILITIES

CHIEF EXECUTIVE OFFICER

At 30 June 2008 the ACC's Chief Executive Officer was Mr Alastair Milroy. The Chief Executive Officer oversees the management and administration of the ACC and is a non-voting member on the ACC Board.

EXAMINERS

ACC Examiners are independent statutory officers appointed to use the ACC's coercive powers. As at 30 June 2008, the ACC's Examiners were the Hon. J P Hannaford, Mr W M Boulton, Mr G E Sage and Mr J P Anderson.

OFFICE OF THE CEO

The Office of the CEO was established as a stand-alone team to directly report to the Chief Executive Officer (CEO). Office of the CEO duties include the Board Secretariat, Professional Standards and Compliance and Internal Audit. Revising the structure to have these units together has supported and strengthened internal control mechanisms and processes through direct access to the CEO.

CRIMINAL INTELLIGENCE AND INVESTIGATION STRATEGIES

The Criminal Intelligence and Investigation Strategies Directorate continues to provide a range of intelligence and operational services to the agency including:

- recommendations of National Criminal Intelligence Priorities (NCIP)
- domestic and international intelligence monitoring
- development of operational and strategic intelligence
- specialist financial intelligence assessment
- management and conduct of ACC special intelligence operations, special investigations and task forces, and
- provision of key technical and other specialist support services to investigators.

The Strategic Outlook and Policy Division within the Directorate provides advice and assistance in driving the agency through:

- developing strategic policy and supporting papers
- ensuring appropriate agency placement in the law enforcement environment
- analysing operational performance and outputs impacting upon law enforcement methods, outcomes and future trends
- developing law reform and communicating findings at appropriate levels and intervals
- anticipating change and recommending parallel changes within the agency to meet the shifting law enforcement environment needs.

ORGANISATIONAL SERVICES

The Organisational Services Directorate provides key enabling services to the ACC such as:

- information and communication technology systems, including the ACC's intelligence collection systems and databases

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- people management, a new group encompassing the majority of the existing employee-matter related units:
 - Human Resources
 - Learning and Development
 - Strategic Planning
 - Risk Management
 - Performance Reporting
 - Security including physical, information and communication and technology (ICT) and personnel
 - Complaints Management Unit
- finance and budget management, including:
 - the payroll function from December 2007
 - corporate support such as administrative services, maintenance of the ACC's assets and buildings and fleet management.

ACC LOCATIONS

The ACC has eight offices nationally, with its headquarters located in Canberra and regional offices located in Sydney, Melbourne, Brisbane, Adelaide, Perth, Alice Springs and Darwin.

ACC BOARD

The ACC Board is responsible for providing strategic direction to the ACC and approving the use of the ACC's special coercive powers. Further description of the Board can be found in this report at Part 3: Management and Accountability.

OUTCOME AND OUTPUT STRUCTURE

The ACC's Outcome and Outputs Framework is set out in the Attorney-General's Department's Portfolio Budget Statement (PBS) available at www.ag.gov.au. The PBS details the ACC's appropriation against its outcome and outputs.

The ACC's outcome is: **Enhanced Australian law enforcement capacity**. This outcome is supported by two outputs and their associated performance measures:

OUTPUT 1—CRIMINAL INTELLIGENCE SERVICES

Key performance indicators:

- provision and maintenance of effective and efficient criminal intelligence systems
- quality and value of strategic criminal intelligence assessments, threat assessments and other products and services
- provision of timely, high quality advice to the ACC Board on national criminal intelligence priorities
- number and value of disseminations to law enforcement agencies and other relevant agencies.

OUTPUT 2—INVESTIGATIONS AND INTELLIGENCE OPERATIONS INTO FEDERALLY RELEVANT CRIMINAL ACTIVITY

Key performance indicators:

- effective collaboration with partner law enforcement and other agencies to progress criminal intelligence and investigative priorities
- effective use of coercive powers to support criminal intelligence and investigative objectives
- disruption of criminal syndicates
- effective and efficient delivery of the ACC Board-approved criminal intelligence and investigative priorities
- number and value of disseminations to law enforcement and other relevant agencies
- number and significance of arrests and charges
- value of proceeds of crime.

