PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question on notice at the hearing on 14 March 2013:**

**Question No – 1**

Please provide a definition which distinguishes intelligence from information.

**The answer is as follows:**

**Information** may be described as discrete pieces of data that may take the form of individual or collective numbers or text. When different types of allied information are synthesised they act as important building blocks in the intelligence process and are a critical precursor to an intelligence output (or product).

**Intelligence** may be viewed as both a process and an output (product):

- As a process, intelligence involves the collection, processing, integration, evaluation, interpretation and analysis of available information. This process – typically referred to as the intelligence cycle - transforms information into insight or understanding using analysis, critical thinking and problem solving skills.
- As an output, intelligence is obtained through the observation, investigation, analysis and understanding which is then developed into a product and disseminated to support different levels of decision-making, which can be strategic, operational or tactical.

**Intelligence** may therefore be described as advantage, insight or understanding on a current or future criminal threat, methodology, vulnerability or opportunity, developed through the analysis of available information, which provides direction for effective action.

In summary, information is generally unprocessed, static and unique while intelligence is evaluated, dynamic, useful, client focused and appropriately classified. Information comes from a breadth of sources that are unclassified and classified as the starting point from which intelligence advice is generated. Creating and delivering intelligence involves the application of the intelligence cycle and analytic techniques which value-add to the information. Intelligence must answer a key intelligence question and provide decision makers with an advantage.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 2 – National Criminal Intelligence Model (NCIM)**

Drawing on a specific example, can you step the committee through the process of intelligence creation, tracing each step from the initial gathering of information undertaken by a police officer through to the dissemination of an intelligence product by the ACC?

**The answer is as follows:**

The case study – using a product (target brief) from an ACC operational project - will detail the process of intelligence creation using the intelligence cycle contained in the Australian Criminal Intelligence Model (ACIM).
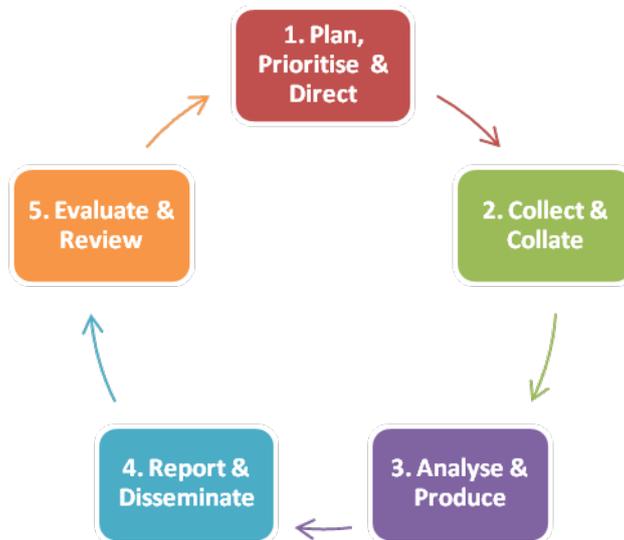
**CASE STUDY: Target Brief – Illicit Drug Project**

> **Context:**
> All intelligence products must have a client driven intelligence question, or gap on an unknown emerging threat, that is being answered, and a purpose. Several partner agencies received intelligence products as a result of an ACC led Project in 2010-11, which they used to inform their own operational responses for investigations they were already conducting, as well as contributing to responses they initiated as a result of the intelligence received from the ACC.
>
> The Project was a joint investigation that was conducted by the ACC in partnership with a state Police agency and several Commonwealth agencies. The Project investigated the activities of a criminal syndicate involved in the large scale manufacture, trafficking and distribution of illicit drugs, primarily methylamphetamine and cocaine. The criminal network was extremely active in a number of jurisdictions and had strong associations with members of an Outlaw Motor Cycle Gang.

## STEP 1: PLAN, PRIORITISE & DIRECT

Approval was provided by the ACC's Organised Crime Management Committee (OCMC) for ACC involvement in joint investigative activity in 2010 for an initial six months investigative effort. The operation concluded in 2011.

Project planning considered information already gathered via other inquiries which formed the basis of this operational request

- The proposal contained information drawn from earlier police operations in South Australia and New South Wales which targeted large scale drug-trafficking and distribution.
- Information based on travel movements, telecommunications activity and financial information provided early indicators of ongoing criminal activity.
- A preliminary assessment indicated that a cross-jurisdictional network was probably active and engaged in the trafficking and distribution of illegal drugs.

Project planning identified the requirement for:

- the delivery of intelligence assessments in the form of Operational Analysis Reports and Information Reports, and
- target development and intervention opportunities to be undertaken by partner agencies.

## STEP 2: COLLECT & COLLATE
### Collection

Approval was requested for the following initial collection resources:

- Physical surveillance capability
- A seconded intelligence officer full-time from the jurisdictional partner
- Seconded investigators
- Financial investigator
- Coercive hearings

- Covert sources

The purpose of these resources was to collect information relevant to the activities of the syndicate. Other capabilities were assigned on request and as required. The intelligence product ultimately drew upon a number of different sources including restricted, sensitive, classified and open source information.

## Collation
The information was evaluated as to accuracy and reliability, within the context of the intelligence problem and question at hand, and collated to be able to understand the links and associations across individuals, companies, and methodologies. In developing the intelligence product, the following collated outputs were delivered:
- Appendix A – Company Associations involving persons of interest
- Appendix B – Link Chart detailing a covert phone network
- Appendix C – Link Chart detailing Associations with various crime groups
- Appendix D –Financial Report on key syndicate members
- Appendix E – Abbreviated person profiles
- Appendix F – Link Chart detailing the Syndicate
- Appendix G – Summary of communications within the covert network.

## STEP 3: ANALYSE & PRODUCE
- Intelligence analysts use a variety of techniques as part of the intelligence analysis methodology as they are dealing with incomplete, ambiguous and sometimes deceptive information. The analysts applied structured analytic techniques to bring a systematic, transparent and accountable process to their critical thinking and problem solving capabilities. Such structured analytic techniques may include a key assumptions check; structured brainstorming; scenarios and indicators; analysis of competing hypotheses; What If? Analysis; assessment of cause and effect; timeline and chronology analysis; and link network analysis. A combination of techniques can also be used as appropriate and there are many more different techniques also available to analysts, depending on the sort of information available and the intelligence problem being considered.
- A target brief (which is a category of Operational Analysis Report) was produced in relation to the key persons of interest and detailed the alleged involvement of the targets in the importation, manufacture and distribution of precursors and illicit drugs including methylamphetamine.
- The Project delivered 170 Information Reports which were uploaded onto the Australian Criminal Intelligence Database (ACID), as well as other analytical intelligence products.

**STEP 4: REPORT & DISSEMINATE**
- The target brief was disseminated in January 2012 to the key clients and decision makers, as well as other agencies which would benefit from the intelligence; and
- a new criminal syndicate was listed on the National Criminal Target List.

**STEP 5: EVALUATE & REVIEW**
- Feedback on quality, value to decision-maker and outcomes from intelligence clients is essential to understand how the intelligence has influenced decision makers, provided an advantage and been useful and actionable. Post operational debriefs also assess lessons learnt on intervention activities.

Summary:

As a result of the assessment, an operation was commenced to investigate the criminal activities of the persons identified in the target brief. Operations were initiated by the AFP and a state Police force targeting the syndicate. Both these operations were supported by a separate ACC operation. Feedback from the state Police confirmed that their operation was based on the ACC assessment. The intelligence derived not only contributes to assist decision makers in their operational prioritisation, resource allocation and focus, but it also contributes to the strategic picture of organised crime and associated vulnerabilities and opportunities.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

## Question No – 3 – National Criminal Intelligence Model (NCIM)[1]

At the start of the hearing on 14 March, Mr Lawler noted the need for all agencies to have a common understanding of the intelligence cycle. What is the intelligence cycle envisaged under the model?

**The answer is as follows:**

The intelligence cycle is a process which describes the standard steps used to transform raw data[2] and information[3] into value-added intelligence[4]. The agreed and endorsed intelligence cycle is depicted in the top corner of the Australian Criminal Intelligence Model (ACIM) diagram which was tabled to the Committee at the ACC's first appearance. The diagram is reproduced below:
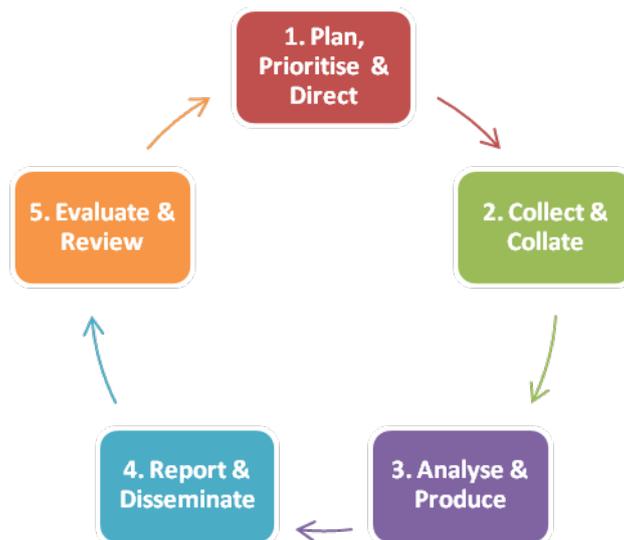


Each phase of the intelligence cycle has a role to play. Standardisation is important because it ensures all agencies are following the same process (no matter what the topic). This common approach improves understanding of the phases of the intelligence cycle, ensures consistency, facilitates sharing and improves the flow of intelligence across and between agencies.

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[1] The NCIM is now named the Australian Criminal Intelligence Model (ACIM).

[2] Data is generally described as a set of discrete facts, raw or unorganised independent numbers, symbols or signals, words, sounds and images that can easily be structured and captured on machines. Data carries no judgment or interpretation.

[3] Information is interpreted, organised, patterned, grouped or synthesised data (true or untrue and generally abstract) that forms an important building block in the intelligence process and can be a critical precursor to intelligence products.

[4] Intelligence is derived by value-adding insights and judgements to data, information and knowledge.

*Phase 1 - Plan, Prioritise & Direct* is where discussions take place to identify the issue or theme that requires further investigation.

- Planning occurs by identifying the steps and resources required to achieve an outcome.
- Nationally, the planning process involves key decision-making bodies working together across domains to evaluate strategic issues to decide where resources are best placed to respond.
- Prioritisation is about ranking the importance of activities and themes that require action.
    - In setting priorities, state and territory activities will be influenced more by volume crime and community safety issues, while national security agencies will be more focused on issues posing a threat to national security and the Commonwealth by serious and organised crime issues; however, the way in which we assess risks and determine the matters of highest priorities utilise the same methodology (the intelligence cycle).
- Priorities across the operating domains are determined by considering:
    - the threat and risk level the incident type presents
    - the impact of the matter on Australia
    - the importance of the matter in terms of National Criminal Intelligence Priorities (NCIPs) and National Intelligence Priorities (NIPs)
    - the focus of Government and Ministers (both State and Federal), and
    - the resources required to undertake the matter.
- Directing is about:
    - using available intelligence (strategic products, trend analysis, operational/tactical information) to assign resources
    - assigning roles and responsibilities
    - setting parameters (through guidelines, policy, standards, consistent processes), and
    - being accountable for actions taken.
- Nationally collective intelligence activities are directed by both State and Federal Governments who assign resources to the highest priority activities.

*Phase 2 – Collect & Collate* involves searching for data and information then merging the related raw data and information into groupings to identify intelligence gaps and convergences for further analysis.

- Collection occurs: through traditional investigative methods; utilisation of specialised coercive and technical powers; by interrogating open source information and specialised intelligence systems/databases; and by formally requesting information from national and international law enforcement agencies and public sector organisations (as appropriate).
- Collation occurs both manually and electronically:
    - the manual aspect of collation involves physically sorting and combining data and information obtain from non-electronic sources and isolated electronic sources, and
    - the electronic collation involves data matching through automated searching processes to quickly and easily scan large volumes of data and information, make sense of that data and then convey that information through shared interfaces.

- Nationally what is collected is guided by collection plans, strategic plans and by Government requests for information on emerging high profile issues (for example, firearms or gang violence).
- The ability to collect information and intelligence is enormous but the ability to effectively collate it is challenged (this is mainly due to inefficient technology).
- The challengeis how to most effectively and efficiently share collection capabilities to minimise duplication and maximise intelligence sharing (from a technical perspective the question is how to best establish and exploit federated searching capabilities).

*Phase 3 – Analyse & Produce* involves assessing, validating, value-adding and making judgements to transform information into intelligence for finished products and reports.
- Analysis involves thinking critically and making judgements about available information and intelligence focusing on:
  - defining the client need, issue or theme
  - identifying the problem to be addressed (what intelligence questions need to be answered)
  - making an assessment of the reliability of the available information
  - identifying what the information means and what the potential consequences are testing and substantiating the judgements made, and
  - making recommendations about actions that should be taken.

Judgements will be influenced by knowledge, experience and the domain of operation but the thought process used to arrive at the conclusion uses the same methodology (the intelligence cycle).
- Production involves delivering insightful, informative and useful intelligence products for decision making.
  - the types of products produced will be determined by the domain of operation and the issue being addressed, and
  - the product for an operational issue will be very different than the product for a strategic overview; however, the methodology used to produce the product will be the same (the intelligence cycle).

*Phase 4 – Report & Disseminate* involves sharing intelligence to support and advance the decision making processes. This occurs through the formal dissemination of reports and products.
- Reporting involves organising information and intelligence to inform about a topic, issue, theme, concept, individual or group.
  - Nationally from an intelligence perspective reporting occurs through:
    - intelligence products
    - committees and forums, and
    - ministerial and government briefings.
- Dissemination can be defined as the transmission of information, intelligence and/or knowledge from one agency to another in compliance with legislative requirements.
  - Dissemination occurs by exchanging:
    - formal products (intelligence and other)
    - oral briefings (subject to legislative requirements)
    - verbal information under MOUs arrangements for taskforces and other joint operations, and

- electronic information and intelligence through both federated and segregated systems (where the technology exist for us to do so).
- Most agencies have the capability to disseminate intelligence; however, legislative and policy barriers may impede the ability to share in an effective and timely manner.

*Phase 5 – Evaluate & Review* involves re-examining activities to consider the value of intelligence outcomes and to reflect on opportunities for improvement.
- Evaluation involves assessing the validity and merit of the intelligence efforts against a base line measure or set of standards.
  - the base line measure is important to ensure progress can be gauged against objectives (and client needs) to assess the impact and value-add of the intelligence provided, and
  - stakeholder feedback also allows evaluation of the impact and value-add of intelligence and enables lessons learned to be applied to effect change.
- Review ensures the currency of processes and effectiveness of strategies. Review occurs by:
  - re-examining processes, procedures, outcomes, information and intelligence to realise new and innovative approaches to problem solving
  - undertaking peer review to ensure requirements are being met prior to a product being circulated, and
  - examining lessons learned to expose opportunities for improvement.

Evaluation and review is an essential step in the intelligence cycle because by continuously evaluating and reviewing a more agile and resilient environment is created which is better equipped to respond to unforeseen challenges and shifting priorities. Evaluating and reviewing processes also affords the chance to improve operational efficiencies to support better allocation of limited resources.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 4 – National Criminal Intelligence Model (NCIM)[1]**

Most of the evidence about the NCIM concerns the principles and vision for the model rather than any specific detail about how it will operate in practice or the key decisions that will have to be made. Can you elaborate on your approach to developing the model?

**The answer is as follows:**

*Approach to development*
The Australian Criminal Intelligence Model (ACIM) was developed in collaboration with state, territory and Commonwealth agencies.

- The Australian Criminal Intelligence Forum (ACIF), which is comprised of heads of intelligence from all ACC Board agencies plus representatives from CrimTrac and the Australia New Zealand Policing Advisory Agency (ANZPAA), was established to oversee the development and implementation of the ACIM.
    - This forum, for the first time in Australian history, holds the mechanism for eight states and territories and many Commonwealth agencies to agree to principles of intelligence practice and to communicate their sometimes unique or divergent goals for achieving excellence in the criminal intelligence function nationally.
- The ACIF structured its first five meetings around the intelligence cycle, and identified best practices and issues requiring resolution at each phase of the intelligence cycle[2].
- This information was then used to develop the ACIM and accompanying Australian Criminal Intelligence Management Strategy (the Strategy)[3].
    - The Strategy outlines key initiatives to be implemented, which are associated with each strategic objective.
- The ACIF is now drafting a detailed implementation plan which will include a series of action items required to achieve the ACIM strategic objectives.
- The ACIF is reporting progress on these initiatives bi-annually to the ACC Board.

*Approach to implementation*
The implementation of the ACIM remains in its infancy, with formal endorsement only being received by the ACC Board in September 2012, and by the Standing Council on Police and Emergency Management (SCPEM) in November 2012. The ACIF, as the driving force to champion implementation, is well-advanced. Implementation will be guided by:
- the Strategy, which outlines key initiatives that are to be completed for each strategic objective, and
- the implementation plan (in development), which identifies action items and responsible persons/forums to progress each item.

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).

[2] ACIF now meets quarterly. Quarterly meetings now focus on actioning the ACIM and on identified intelligence issues or themes of relevance to all ACIF members. By way of example a future ACIF meeting will focus on how intelligence can support Queensland's G20; another will focus on emerging technologies for social media and how law enforcement monitor and best use intelligence from these media.

[3] The Strategy was tabled by the ACC at the public hearing on 14 March 2013.

The action items and initiatives in these two guiding documents will be completed by a series of ACIF subgroups (comprised of agency subject matter experts). These groups will consider in detail how the ACIM will operate in practice. Groups established include:

- A <u>Plan, Prioritise & Direct</u> subgroup focused on:
    - Strategic objective 1 '*Ensure quality intelligence supports tactical, operational and strategic decision-making*' and 5 '*Embed an agreed national threat, harm and risk assessment methodology*'[4].
    - The National Criminal Intelligence Priorities (NCIPs) and setting the framework through negotiation across agencies.

- A <u>Collect & Collate</u> subgroup focused on:
    - Strategic objective 6 '*Pursue common technical and security architectures for information and intelligence holdings*' and 7 '*Maximise the value-add of fusion and technical analysis capabilities*'.
    - Developing a Request for Information (RFI) capability.
    - Developing a National Criminal Intelligence Product Directory as the first step of RFI capability.

- An <u>Analyse & Produce</u> subgroup focused on:
    - Strategic objective 3 '*Establish common standards, processes and protocols for managing intelligence assets. Promote standards and competencies for a nationally consistent language and approach for intelligence analysis*' and 4 '*Professionalise the intelligence discipline through development of national standards for intelligence practitioners and analysts*'.
    - Training standards, competencies, common product definitions, common terminology and key words, and liaising with ANZPAA on development of national guidelines.

- A <u>Report & Disseminate</u> subgroup focused on:
    - Strategic objective 2 '*Inculcate a culture where security requirements are balanced and information generated and held by individual jurisdictions and the Commonwealth is valued as a national asset for all*'.
    - Legislative issues for information sharing.

- An <u>Evaluate & Review</u> subgroup focused on:
    - All strategic objectives to examine lessons learned and methodologies to measure the value of intelligence.

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[4] *Note*: Strategic objective 5 has been already been completed with the introduction of the National Target System (NTS) for individuals and groups.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 5 – National Criminal Intelligence Model (NCIM)[1]**

Can you update the committee on the progress you have made towards implementing the NCIM?

**The answer is as follows:**
1. The first key milestone for implementation of the Australian Criminal Intelligence Model (ACIM) was the formal endorsement by the ACC Board and the Standing Council on Police and Emergency Management (SCPEM).
   - This endorsement was received in September 2012 and November 2012 respectively.
   - The formal endorsement of a single model for managing criminal intelligence followed almost two years of developmental work, negotiation and agreement by intelligence professionals representing seventeen Commonwealth, State and Territory agencies.
   - The seventeen agencies represent three separate operating domains[2], each of which manages significant intelligence holdings.
2. The second key milestone for implementation of the ACIM was the establishment of the Australian Criminal Intelligence Forum (ACIF[3]) as a standing body for heads of intelligence nationally.
   - A key function of this forum is oversight of the implementation of the ACIM.
   - This forum, for the first time in Australian history, holds the mechanism for eight states and territories and many commonwealth agencies to agree the principles of intelligence practice and communicate their sometimes unique or divergent goals for achieving excellence in the criminal intelligence function nationally.
3. The third key milestone for implementation of the ACIM was the establishment of a reporting/accountability regime which involves reporting to the ACC Board bi-annually.
4. The next steps towards implementation will be phased over the next two years[4] and involves actioning the strategic objectives of the Australian Criminal Intelligence Management Strategy (the Strategy) and the implementation plan (still under development).
   - Key achievements to date in this area include:
     - agreement of critical success factor (technology, culture, legislation/policy)
     - establishment of subgroups to address the critical success factors and the ACIMs strategic objectives[5],
     - a project established to develop a Request for Information (RFI) capability,
     - a project established to develop a National Criminal Intelligence Product Directory (the first step of a RFI capability), and

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[1] The NCIM is now named the Australian Criminal Intelligence Model (ACIM).
[2] Domains are: policing and community safety domain; the serious and organised crime domain; and the national security domain
[3] ACIF is comprised of heads of intelligence from all ACC Board agencies plus CrimTrac and ANZPAA representatives.
[4] Note realisation of technical solutions will extend beyond this two year timeline and will have a separate implementation plan.
[5] See question 4 for details of planned subgroup activities.

- realisation of strategic objective 5 - *Embed an agreed national threat, harm and risk assessment methodology* – through the introduction of the National Target System (NTS) for assessment of individuals and groups.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 6 – National Criminal Intelligence Model (NCIM)[1]**

In September 2012, Mr McDevitt informed the committee that as the ACC board membership had signed off on the concept of the model, the focus would now shift to developing processes, protocols, technologies, agreements and the legislative realities of sharing information and intelligence.[2] Can you elaborate on developments in each of these areas?

**The answer is as follows:**

With formal endorsement of the Australian Criminal Intelligence Model (ACIM) the focus is now on implementation of the ACIM[3]. Developments underway in each of the areas identified are outlined below.

*Processes & Protocols*
*Under development:*
- A Request for Information (RFI) capability including a standard definition for RFIs, a priority rating scale, a set of key words, naming conventions, metadata standard fields and business rules.
- A National Criminal Intelligence Product Directory including a standard set of product definition, a set of key words, naming conventions, metadata standard fields and business rules.
- A set of national training standards, competencies, common product definitions, common terminology and key words.
  - These are under development in collaboration with Australia New Zealand Policing Advisory Agency (ANZPAA), who is developing Education and Training Guidelines for Police Intelligence.
- Processes for National Criminal Intelligence Priorities (NCIPs), including agreed principles.

*Completed:*
- A standard intelligence cycle has been agreed and endorsed as part of the ACIM[4].
- Processes and protocols for national threat, harm and risk assessment have been agreed and implemented through the introduction of the National Target System (NTS)[5].

*Technologies*
- A Proceeds of Crime funded scoping study was initiated in 2010 to examine further options for the provisions of ACID and ALEIN capabilities.

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).

[2] John Lawler, ACC, *Committee Hansard*, 21 September 2012, p. 46.

[3] See question 4 for details of planned activities.

[4] See question 3 for details.

[5] Note this equates to achievement of Strategic objective 5 - *Embed an agreed national threat, harm and risk assessment methodology.*

- A National Information and Intelligence Needs Analysis, conducted as a collaborative effort by the Australian Crime Commission, the National Counter-Terrorism Committee's Intelligence and Information Management System Working Group and CrimTrac, has been completed.
- Subsequently, the scoping study has been examining technologies to underpin the ACIM, including options for interoperability with existing capabilities.
- The requirements of the SPECTRUM program are currently being assessed and considered in light of ACIM user requirements.
- The final scoping study report is due by 30 June 2013. Note – the implementation of any recommendations will be subject to funding availability.

*Legislation*:
- ACIF has collected details of agency legislative requirements with respect to sharing the various types of data, information and intelligence.
- The ACIF *Report & Disseminate* subgroup will examine the identified legislative requirements to identify and pursue opportunities to address solutions to enable the freer flow of intelligence and information.

*Agreements*

The establishment of the ACIF[6] as a standing body for heads of intelligence nationally.
- A key function of this forum is oversight of the implementation of the ACIM.
- This forum, for the first time in Australian history, holds the mechanism for eight states and territories and many commonwealth agencies to agree the principles of intelligence practice and communicate their sometimes unique or divergent goals for achieving excellence in the criminal intelligence function nationally.

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[6] ACIF is comprised of heads of intelligence from all ACC Board agencies plus CrimTrac and ANZPAA representatives.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 7 – National Criminal Intelligence Model (NCIM)[1]**

While most stakeholders before the committee have endorsed the proposal for an NCIM, there are qualifications placed on that support regarding matters such as the provision of a universally applied system of capture, treatment and delivery. What negotiations have you held with involved stakeholders to encourage discussion and underpin the ACC board's endorsement of the model?

**The answer is as follows:**

The Australian Criminal Intelligence Forum (ACIF)[2] meets quarterly to discuss the Australian Criminal Intelligence Model (ACIM). This forum is used to consult, negotiate and engage with agencies in relation to implementation of the ACIM[3].

Opportunities for the provision of technologies to support the ACIM have been discussed at the ACIF and have been examined in detail through a National Information and Intelligence Needs Analysis (NIINA).
- The NIINA was conducted as a collaborative effort by the Australian Crime Commission (ACC), the National Counter-Terrorism Committee's Intelligence and Information Management System Working Group and CrimTrac.
- The NIINA consulted over 200 practitioners in terms of their needs, and included examination of intelligence systems used by each of the agencies and other technical options available.
- The NIINA is a deliverable of the ACID/ALEIN scoping study.
- The scoping study team is also examining technologies to underpin the ACIM with consideration being given to interoperability with existing capabilities.
- The scoping study team is assessing the requirements of the AFP SPECTRUM program and comparing them to the ACIM's user requirements.

There has been general discussion around the value of any submissions for technical solutions being jointly considered[4]. The ACC, given its legislative mandate as the national intelligence agency, is well placed to play a coordination role in any such proposals.

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).

[2] ACIF is comprised of heads of intelligence from all ACC Board agencies plus CrimTrac and ANZPAA representatives.

[3] Refer to question 4 for details of ACIM development and implementation activities.

[4] Refer to question 12 for consideration of agencies at a different stage in their technology life cycles.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 8 – National Criminal Intelligence Model (NCIM)[1]**

In September last year, Mr Lawler informed the committee that the legislative requirements in relation to implementing the model were anything but clear, with questions even about whether the police ministers have jurisdictional authority to commit to the model.[2] What do you know now about the legislative steps required to implement the model both at the Commonwealth and state levels?

**The answer is as follows:**

With formal endorsement of the Australian Criminal Intelligence Model (ACIM) by the ACC Board and the Standing Council on Police and Emergency Management (SCPEM) the issue of authority to commit has been resolved. Agencies are able to commit, and have already committed to the ACIM; however, where the uncertainty emerges is with respect to compatibility of legislative frameworks that govern agency ability to share:
- There are multiple legislative frameworks to comply with and no one agency has authority over all frameworks[3],
- States and territories must comply with their individual state/territory legislative frameworks and only have authority over their own jurisdiction,
- Commonwealth agencies must comply with a different set of Commonwealth legislative frameworks, and
- The challenge becomes about how to coordinate the legislative requirements of each framework to align and facilitate the freer flow of intelligence and information among agencies.

The first step to resolving legislative issues is examination of the various legislative frameworks at state, territory and Commonwealth levels to identify where the inconsistencies are. To date:
- ACIF has collected details of agency legislation requirements with respect to sharing the various types of data, information and intelligence, and
- ACIF *Report & Disseminate* subgroup will:
    - examine the identified legislation,
    - consider options available for reconciling of the various legislative requirements, and
    - identify and pursue opportunities to address impediments to the freer flow of intelligence and information.

The subsequent steps required to harmonise legislative frameworks will not be known until the initial assessment of legislative frameworks is complete[4].

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).
[2] John Lawler, ACC, *Committee Hansard*, 21 September 2012, p. 46.
[3] See Appendix attached
[4] Note current sharing arrangements are manageable but not timely, cost effective or efficient.

Appendix A

| AGENCY | SOME EXAMPLE OF LEGISLATION IMPACTING ON SHARING |
| --- | --- |
| **AFP / ACT Policing** | 1. Australian Federal Police Act 1979 (Cth) Section 60A<br>2. Surveillance Devices Act 2004 (Cth)<br>3. Telecommunications (Interception and Access) Act 1979 (Cth)<br>4. Freedom of Information Act 1982 (Cth)<br>5. Privacy Act 1988 (Cth) |
| **State & Territory Police Forces** | 1. Individual State and Territory legislations<br>2. Surveillance Devices Act 2004 (Cth)<br>3. Telecommunications (Interception and Access) Act 1979 (Cth)<br>4. Freedom of Information Act 1982 (Cth)<br>5. Privacy Act 1988 (Cth) |
| **ASIO** | Section 17(b) and 18(3) of the Act are the most commonly used provisions for the communication of information to Commonwealth and state/territory law enforcement agencies. |
| **ASIC** | s. 127 of the ASIC Act |
| **ACC** | S51 – Secrecy provisionsS12 - for the purpose of referring a brief of evidence or POCA action<br>Ss59(7), 59(8),59(9), s59(11) provide the standard mechanism for sharing information with LEA, FLEA and Government agencies.<br>s59AA provides mechanisms to disseminate to other sectors |
| **Australian Customs & Border Protection Service** | S16  Customs Administration Act 1985 |
| **ATO** | *Section 355-70(1)(Item 1)* specifies that disclosures can be made to an authorised law enforcement agency officer, or a court or tribunal, for the purposes of:<br>    ▪ investigating a serious offence, or<br>    ▪ enforcing a law (the contravention of which is a serious offence), and/or<br>    ▪ for making a (possible) proceeds of crime order.<br>(Note: s355-65(8) (table 7 item 2) provides details for releases to Australian Customs & Border Protection Service) |

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 9 – National Criminal Intelligence Model (NCIM)[1]**

Australian Law Enforcement Intelligence Net (ALEIN) serves as the gateway to Australian Criminal Intelligence Database (ACID), the national clandestine laboratory database and the violence and sexual crime database. Do you foresee the model serving as the gateway to these databases in the first instance before expanding into other areas? Can you detail any obstacles in taking this approach?

**The answer is as follows:**

The Australian Criminal Intelligence Model (ACIM) does not serve as a gateway to the Australian Criminal Intelligence Database (ACID), the national clandestine laboratory database or the violence and sexual crime database as it is not a system, gateway or technical solution[2].

- The ACIM will, however, provide the strategies, processes and guidelines for management of criminal intelligence nationally and this will extend to the use of technical capabilities.
- The ACIM has two strategic objectives specifically focussed on examining technical capabilities: strategic objective 6 '*Pursue common technical and security architectures for information and intelligence holdings,*' and strategic objective 7 '*Maximise the value-add of fusion and technical analysis capabilities*'.
- The ACID/ALEIN scoping study is also examining technical options to underpin the ACIM[3].

ALEIN not only serves as the gateway to ACID, the national clandestine laboratory database and the violence and sexual crime database, but is also:
- the gateway between agencies and provides a secure network for communications between agencies,
- the ACC's corporate extranet and provides a user-friendly gateway to criminal intelligence, and
- the ALEIN Information Desk system and a messaging system.
    - ACID/ALEIN messaging system enables the sharing of criminal intelligence amongst the law enforcement community and assists in the intelligence co-ordination effort across jurisdictional boundaries[4].

It is important to remember that ACID/ALEIN is 1980's technology and while the system is operational, it is not optimal. More modern fit for purpose technologies are available and would deliver greater functionality.

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).
[2] See question 17 for how ACID and ACIM are related.
[3] See questions 7 for more details on scoping study activities.
[4] ACID/ALEIN is accessed by all Law Enforcement Agencies (LEAs) in Australia and the New Zealand Police via a secure, encrypted network and is the only such extranet used by all LEAs

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 10 – Definition of 'criminal intelligence' supported by universal methodology for collecting/gathering intelligence**

Evidence to the committee suggests that the fact that there is no single definition of 'criminal intelligence' common to all involved stakeholders has contributed to different expectations of and approaches to gathering intelligence. How do you respond? Will you develop a definition?

**The answer is as follows:**

Criminal intelligence has been defined in the Australian Criminal Intelligence Management Strategy 2012-15 (the Strategy) as *insights and understanding obtained through analysis of available information and data on complex offending patterns, serious organised crime groups or syndicates and individuals involved in various types of criminal activities.*[1]
  ▪ This definition was agreed by stakeholders and will now be how criminal intelligence is defined for the Australian Criminal Intelligence Model (ACIM), and
  ▪ This standard definition along with the other ACIM initiatives to standardise management of intelligence[2] should align expectations and approaches to gathering of criminal intelligence nationally.

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[1] Reference page 3 of *The Australian Criminal Intelligence Management Strategy 2012 -15*.
[2] Refer to question 3 for details of the agreed intelligence cycle and question 4 for initiatives underway to standardise processes through implement the ACIM.

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 11 – Definition of 'criminal intelligence' supported by universal methodology for collecting/gathering intelligence**

What steps have been taken to develop universal criminal intelligence methodology that can be applied by all involved agencies? What negotiations have taken place around the establishment of a universal methodology?

**The answer is as follows:**

If we define methodology as - *a set or system of methods, principles, and rules for regulating a given discipline* - the Australian Criminal Intelligence Model (ACIM) and the Australian Criminal Intelligence Management Strategy (the Strategy) are the first steps towards the development of a universal criminal intelligence methodology for Australia that will be applied by all agencies involved.

Over the past two years, the Australian Criminal Intelligence Forum (ACIF)[1] has negotiated the development of the ACIM and Strategy.
- This forum[2], for the first time in Australian history, holds the mechanism for eight states and territories and many Commonwealth agencies to negotiate and agree on intelligence methodologies.
- The national threat, harm and risk assessment methodology has been agreed and implemented through the introduction of the National Target System (NTS)[3].
- The agreed ACIM intelligence cycle represents a standard methodology for analysis of criminal intelligence which can be applied across agencies.
- The agreed ACIM principles articulate a set of criterion for how criminal intelligence should be treated across agencies.
- The agreed ACIM strategic objectives (once all actioned) will provide rules for regulating how intelligence is managed[4].

The associated initiatives underway, which will become part of a universal criminal intelligence methodology for Australia, include:
- a Request for Information (RFI) capability including a standard definition for RFIs, a priority rating scale, a set of key words, naming conventions, metadata standard fields and business rules
- a National Criminal Intelligence Product Directory including a standard set of product definition, a set of key words, naming conventions, metadata standard fields and business rules

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[1] The Australian Criminal Intelligence Forum (ACIF), which is comprised of heads of intelligence from all ACC Board agencies plus representatives from CrimTrac and the Australia New Zealand Policing Advisory Agency (ANZPAA)
[2] There have been eight ACIF meetings and multiple subgroup meetings
[3] Note this equates to achievement of Strategic objective 5 - *Embed an agreed national threat, harm and risk assessment methodology.*
[4] Refer to question 4 for details of ACIM will be implemented.

- a set of national training standards[5], competencies, common product definitions, common terminology and key words, and
- processes for National Criminal Intelligence Priorities (NCIPs), including agreed principles.

The ACIF and ACIF subgroups will continue to meet quarterly to negotiate methodologies to realise the strategic objectives of the ACIM.

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[5] These are under development in collaboration with Australia New Zealand Policing Advisory Agency (ANZPAA)

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 12 – Definition of 'criminal intelligence' supported by universal methodology for collecting/gathering intelligence**

The committee has heard evidence from a number of police jurisdictions who have recently invested in new criminal intelligence methods, strategies and supporting infrastructure. How does the model propose to address the fact that various agencies are at different stages and have different approaches to criminal intelligence gathering which impacts on how and when they might share?

**The answer is as follows:**

During development of the Australian Criminal Intelligence Model (ACIM), consideration was given to the fact that various agencies were at different stages with respect to the maturity of their intelligence function and to the age of their technical capabilities. The ACIM proposed to address this by using a 'building block' approach.

The _intelligence function_ will be addressed through the establishment and promotion of ACIM best practices, national standards and guidelines to ensure that, as agencies review their intelligence models, doctrines and capabilities, they incorporate the agreed standards, process and methodologies. The success of this approach is demonstrated through the following examples:
- Western Australia Police (WAPol) has just undergone a review of its intelligence function and has used the ACIM as a benchmark.
- WAPol is also redeveloping its internal intelligence model to align with the ACIM.
- Queensland Police Service (QPS) is currently reviewing and restructuring its intelligence function and is benchmarking against the ACIM.
- The Australia New Zealand Policing Advisory Agency (ANZPAA), in developing the Education and Training Guidelines for Police Intelligence, is using the ACIM as a benchmark.

Victoria Police (VicPol) has only recently completed its intelligence doctrine, and will not review its processes in the foreseeable future; however, VicPol has confirmed that the doctrine aligns with the ACIM. Additionally, VicPol will share its 'lessons learned' to further inform development of the ACIM.

The divergence of _technical capabilities_ will be addressed through phased implementation of any new technologies.
- Technology is such that interoperable platforms negate the need to use the same systems.
- Agencies systems and capabilities can vary and be at different stages of development as long as there is interoperability between the systems.
- The issue becomes one about finding the appropriate technical capabilities to support the infrastructure needs of all agencies involved.

The ACID/ALEIN Scoping Study and Spectrum Project are collaborating and considering the options and opportunities for systems and technologies. As noted in the initial hearings, a 'building block' approach will be used to incrementally develop and improve technology over time.

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 13 – Definition of 'criminal intelligence' supported by universal methodology for collecting/gathering intelligence**

What discussions have taken place about standardisation of data and data entry in relation to the model?

**The answer is as follows:**

Consensus is that one of the first steps is to develop standard product definitions, standard terminology, key words, naming conventions and business rules for Australian Criminal Intelligence Model (ACIM) data, information and intelligence. Standardisation of data and data entry for the model has been considered and discussed at various meetings of the Australian Criminal Intelligence Forum (ACIF), ACIF subgroup meetings, and out-of-session through written and verbal feedback.

*Under development:*
- A Request for Information (RFI) capability including a standard definition for RFIs, a priority rating scale, a set of key words, naming conventions, metadata standard fields and business rules.
- A National Criminal Intelligence Product Directory including a standard set of product definition, a set of key words, naming conventions, metadata standard fields and business rules.
- A set of national training standards, competencies, common product definitions, common terminology and key words.
    - These are under development in collaboration with Australia New Zealand Policing Advisory Agency (ANZPAA), who is developing Education and Training Guidelines for Police Intelligence.
- Processes for National Criminal Intelligence Priorities (NCIPs), including agreed principles.
- Engagement with agency Chief Information Officers (CIOs) to determine agreed data standards.

*Completed:*
- The ACIF ALEIN page uses standard naming conventions for uploaded documents.
- A standard intelligence cycle has been agreed and endorsed as part of the ACIM[1].
- Processes and protocols for national threat, harm and risk assessment have been agreed and implemented through the introduction of the National Target System (NTS)[2].

The details agreed for these areas will align with each other and flow through to the other areas of the ACIM (as and when they are implemented).

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[1] See question 3 for details.

[2] Note this equates to achievement of Strategic objective 5 - *Embed an agreed national threat, harm and risk assessment methodology.*

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INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 14 – Should a repository be a unitary or federated model?**

The committee sought the views of stakeholders about whether the national repository should be a federated or unitary model. Has the ACC formed a view on what model it will pursue? Can you detail how you have investigated all possible options and what the logistical, legislative, technological and methodological pros and cons in relation to each option e.g.

- **'Google police':** the Queensland Police promoted the concept of a 'police Google' whereby agencies would be able to interrogate each other's systems and use what they needed.[1] CrimTrac noted that that the FBI system serves as a police Google[2] and it also used in the intelligence space.
- **A 'great big database':** which CrimTrac noted would run the risk of an extra bureaucratic layer and the shift of problems of jurisdictional ownership, sovereignty and privacy to the central repository.[3]
- **A DNA-type system:** where each jurisdiction houses its own database and there is a supporting central database.

**The answer is as follows:**

Given the volume of data in existing databases and the different stages agencies are at in their technology life cycles, the ACC is still considering options for a national repository.

Options
Options analysis has not yet been completed, therefore, pros and cons of each option are yet to be fully evaluated.
- A federated model would appear to be the least disruptive of options, but it comes at a higher cost.
- A centralised model provides the avenue for nationally agreed standards and workflows, thereby creating a synergy between business and IT convergence leading to increased sustainability and long term efficiency and effectiveness gains; reducing management overheads and costs appreciated by the central organisation and its partners.
Options analysis will be based on technical discussions by the Australian Criminal Intelligence Forum (ACIF) around user requirements and what tools are best able to support the Australian Criminal Intelligence Model (ACIM).
- Options explored by the Proceeds of Crime funded ACID/ALEIN scoping study through a National Information and Intelligence Needs Analysis (NIINA)[4].
- Agency Chief Information Officers (CIOs) are also engaged in discussions around technical options for connectivity.

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[1] Detective Superintendent John Pointing, Queensland Police Service, *Committee Hansard*, 27 September 2012, p. 36.
[2] Doug Smith, CrimTrac, *Committee Hansard*, 21 September 2012, p. 24.
[3] Doug Smith, CrimTrac, *Committee Hansard*, 21 September 2012, p. 25.
[4] See question 7 for more details in relation to options analysis being undertaken.

- The ACID/ALEIN scoping study is also examining technologies to underpin the ACIM with consideration being given to interoperability with existing capabilities.
- The scoping study is assessing the requirements of the AFP's SPECTRUM program and comparing them to the ACIM's user requirements.

There has been general discussion around the value of any submissions for technical solutions being jointly considered[5]. The ACC, given its legislative mandate as the national intelligence agency, is well placed to play a coordination role in any such proposals.

Technology

Opportunities for the provision of technologies to support the ACIM have been discussed at the ACIF[6] with consideration being given to both federated and unitary models.
- Modern technology is such that information contained within the multiple databases no longer needs to be merged or be in a 'great big database' to be accessed and searched.
- An interface can be developed which enables the data in these various databases to be searched and presented to the user in one location (using central system capabilities).
- Technologies with these types of interoperable platforms are available but they come at a significant cost.

Legislation[7]

From a legislative perspective, the challenge for federated and unitary models is in how to reconcile the various legislative frameworks for the state, territory and Commonwealth information and intelligence accessed. The ACIF *Report & Disseminate* subgroup will examine opportunities to harmonise legislative frameworks to support common technical and security architectures for information and intelligence holdings.

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[5] Refer to question 12 for consideration of agencies at a different stage in their technology life cycles.
[6] ACIF is comprised of heads of intelligence from all ACC Board agencies plus CrimTrac and ANZPAA representatives.
[7] See question 8 for more details of legislative issues and steps being undertaken to resolve them.

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INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 15 – Should a repository be a unitary or federated model?**

What will happen to the various databases in use at the moment such as the national DNA database, national clandestine laboratory database, and the violent and sexual crime database under the model? Will they be merged? How has the development and functioning of these specific databases informed the development of the model?

**The answer is as follows:**

Existing databases will remain as is under the Australian Criminal Intelligence Model (ACIM). Existing databases will not be merged.
- Modern technology is such that information contained within the multiple databases no longer needs to be merged to be accessed and searched.
- An interface can be developed which enables the data in these various databases to be searched and presented to the user in one location (using a common interface).
- This means that existing databases can be maintained and can operate along side the new modern technologies.
- There is no longer a need to transfer and / or merge existing data into a new system.
- There is the opportunity to select a date from which the new system would be used and all data from that time forward is put into the new system, while all previous data would remain searchable in the old system.
- Technologies with these types of interoperable platforms are available but they come at a significant cost.

Development and functioning of these specific databases and available technology did not inform development of the ACIM. It is the other way around.
- The ACIM will influence and guide the choice of technology based on the technical tools needed to underpin business processes of the model.
- Technology choices will be made based on the business needs and the identified technology to underpin the business processes[1].

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[1] Refer to question 7 and 17 for more details in relation to technical options.

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INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 16 – Should a repository be a unitary or federated model?**

The committee has heard that the 'request-for-information' process takes time which can place the lives of police officers on the ground in danger.[1] How will implementation of the model counter this problem?

**The answer is as follows:**

The current situation for providing criminal history, warnings etc regarding persons of interest for operational police is delivered via the CrimTrac National Police Reference System (NPRS). The NPRS provides accurate and timely information to operational police which greatly assists in ensuring officer safety.

The Request for Information (RFI) capability is a more complex capability aimed at streamlining the sharing of value-added intelligence products. The Australian Criminal Intelligence Forum (ACIF) is currently focusing on delivering a National Request for Information (NRFI) capability as part of the Australian Criminal Intelligence Model (ACIM).

- A subgroup has been established to further examine the requirements for a NRFI capability.
- This national capability, once realised, will provide a centralised capability for RFIs which will enable a self-service facility.
- This self-service resource will be accessible to the police officer on the ground and will provide them access to a wider range of intelligence.
- A NRFI capability will include a standard definition for RFIs, a priority rating scale, a set of key words, a set of naming conventions, a set of standard metadata fields and a set of business rules (these are currently under development).
- Technical options for a NRFI system are also being explored.
- Improved processes will enhance efficiencies for both RFI senders and receivers and will allow the ACC to capture the intelligence being exchanged, reuse it, improve turn around times and avoid duplication.

There has been general discussion that the ACC, given its legislative mandate as the national intelligence agency, is well placed to play a coordination role in management of the NRFI capability.

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[1]  Deputy Superintendent John Pointing, Queensland Police Service, *Committee Hansard*, 27 September 2012, p. 36.

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 17 – Should a repository be a unitary or federated model?**

Where does ACID sit in relation to the NCIM[1]? ACID is under re-development but is there a risk that it will be superseded by the NCIM repository?

**The answer is as follows:**
The Australian Criminal Intelligence Database (ACID) is a tool used predominately at the second (collect and collate) and third (analyse and produce) phase of the Australian Criminal Intelligence Model (ACIM) intelligence cycle[2].

- ACID is a searchable database containing criminal intelligence data (from all law enforcement agencies) which is made available for intelligence practitioners and law enforcement officers when gathering and collecting data and information for development of intelligence.
- The ACIM is a set of strategies, processes and guidelines for management of criminal intelligence nationally.

ACID is not under redevelopment.
- A Proceeds of Crime funded scoping study was initiated in 2010 to examine further options for the provision of ACID and ALEIN capabilities.
- The scoping study has been examining technologies to underpin the ACIM with consideration being given to interoperability with existing capabilities; however, there is no corresponding funding to implement any options that may be identified.

The risk is not that ACID will be superseded by any technologies associated with the ACIM, but that ACID capabilities are no longer fit for purpose.
- Technical capabilities for ACIM are still being explored and costed as there would be a need to secure funding to implement any national technical initiatives.
- It is expected that despite the initial cost outlay, the long term advantages would result in cost savings across the whole of enterprise.
    - For example, instead of having support infrastructure for multiple systems there would be one set of administrative costs that could be spread across the agencies generating significant maintenance costs savings.

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).

[2] See question 3 for details on the intelligence cycle.

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INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 18 – Single national security standards for officials and for data**

Do you agree that a major impediment to the sharing of information/ intelligence is the lack of consistency in security standards for officials and data? What steps are being taken to address these matters?

**The answer is as follows:**
No. Ideally we will move to a standardised clearance process and are already progressing towards a standard classification process[1] but it is not a major inhibitor to information and intelligence sharing.
- PJC-LE hearing transcripts reflect that all agencies asked indicated support for national security classifications and did not see the change in Commonwealth classification as a significant inhibitor to information sharing.
- Most agencies indicated they would amend or are in the process of amending their classification frameworks to align with the new standards.
- With respect to security clearances for officials there is a standardised Commonwealth process using Australian Security Vetting Agency (AGSVA) but not an equivalent for states and territories.
- All clearances granted by AGSVA are portable across all agencies (excluding exempt agencies). This single, consistent approval has improved the Commonwealth clearance process by:
    - providing one clearance that is effective across government,
    - removing inconsistencies between previous clearance processes, and
    - increasing the efficiency for all parties.
- States and territories can and do make use of the commonwealth clearance process when it is required.
- The main inhibitor with the security clearance process is the time it takes and the associated costs.

*Steps being undertaken to address standardisation of clearances and classifications include*:
- ACIM incorporating into its business processes the use of the Commonwealth classification standards.
- The commonwealth security classification standards are being promoted and training offered through the Protective Security Policy Framework in the Attorney-General's Department.
    - Details can be found on their webpage:
      http://www.protectivesecurity.gov.au/Pages/default.aspx
- Educating states and territories of the standardised Commonwealth security clearances process (using AGSVA) and engaging the Commonwealth clearance process to clear state and territory taskforce and seconded members as and when required.

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[1] See question 19 as it also addresses standardisation of classifications.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 19 – Single national security standards for officials and for data**

Agencies have until July 2014 to ensure that they apply the national security classification system for staff. How are jurisdictions progressing and what lessons from this exercise can be applied to the standardisation of data?

**The answer is as follows[1]:**
- Referring back to the initial PJC-LE hearing transcripts, all agencies asked indicated support for national security classifications and did not see the change in Commonwealth classification as a significant inhibitor to information sharing.
- Most agencies indicated they would amend or are in the process of amending their classification to align with the new standards.
- The standardisation of security classifications is being managed by Protective Security Policy Framework in the Attorney-General's Department and they may be better placed to comment on the lessons learned from this process.
    - Details can be found on their webpage:
      http://www.protectivesecurity.gov.au/Pages/default.aspx
- ACIM will be incorporating into its business processes the use of the Commonwealth classification standards and will take into account any lessons learned in the establishment of the Protective Security Policy Framework.
- With respect to security clearances for staff there is a standardised Commonwealth process using Australian Security Vetting Agency (AGSVA) but not an equivalent for states and territories,
    - All clearances granted by AGSVA are portable across all agencies (excluding exempt agencies). This single, consistent approval has improved the clearance process by:
        - providing one clearance that is effective across government,
        - removing inconsistencies between previous clearance processes, and
        - increasing the efficiency for all parties.
- The system is available for states and territories to use if and when required.

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[1] See questions 18 as is also addresses classifications.

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 20 – Single national security standards for officials and for data**

What support is expected to be given to state jurisdictions in circumstances where their data classification systems are inconsistent with any national system that is developed?

**The answer is as follows:**
Support will be provided by way of education and training on how to use the national classification system[1].

- Inconsistency of classification will generally be able to be resolved through re-evaluation and assessment of the document or product.
- PJC-LE hearing transcripts reflect that all agencies asked indicated support for national security classifications and did not see the change in Commonwealth classification as a significant inhibitor to information sharing.
- Most agencies indicated they would amend or are in the process of amending their classification to align with the new standards.
- ACIM incorporating into its business processes the use of the Commonwealth classification standards.

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[1] Question 18 & 19 provide additional details in relation to classification and the steps to address security classifications.

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 21 – Data management and integrity**

In the context of discussions about data management, questions were raised about accountability mechanisms and where responsibility will lie in relation to ensuring the accuracy of data on the system. At what stage of discussions are you at on this matter and what are some of the initiatives that have been identified to deal with this challenge?

**The answer is as follows:**
Australian Criminal Intelligence Forum (ACIF) is at early stages of discussion with respect to accountability mechanisms and where responsibility will lie for ensuring the accuracy of data on the system. Discussions in relation to initiatives under way to address these issues are detailed below.

*Accountability* mechanisms
- Accountability for implementation of the Australian Criminal Intelligence Model (ACIM) rests with the ACIF.
- ACIF is accountable to the ACC Board and is required to report progress on implementation of the ACIM biannually.
- ACIF are considering various accountability mechanism options for data, information and intelligence management.
    - ACIF have received a presentation on the EUROPOL model where accountability is through contributions to the collective intelligence holdings and in order to consume from the collective intelligence holdings an agency must contribute to them.
    - ACIF have also discussed 'accountability versus responsibility' and are considering if the approach should be more about inculcating a responsibility to provide rather than compelling contributions through an accountability mechanism.
        - These issues will be considered at future ACIF meetings.

*Accuracy* of data on the system
- Responsibility for accuracy of data rests with the author of the document.
- Analytical tradecraft focuses on ensuring analysts have the skill sets required to provide accurate and defensible intelligence for decision making.
- The intelligence cycle[1] itself through its process of evaluation and review provides a mechanism for the accuracy of data and information to be tested and verified.

Discussions and *initiatives* to manage accuracy and accountability

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[1] See question 3 for details of the intelligence cycle.

- The standardisation of the intelligence cycle which guides transformation of raw data and information into value-added intelligence provides for checks and balances against the accuracy and reliability of information and intelligence.
- An <u>Analyse & Produce</u> subgroup has been set up and is focusing on development of national training standards and competencies to guarantee analysts have the skill sets required to provide accurate and justifiable intelligence.
- An <u>Evaluate & Review</u> subgroup has been set up to examine lessons learned and methodologies to measure the value of intelligence. This will provide additional checks and balances for the accuracy of data, information and intelligence on the system.
- A future ACIF meeting will focus on agreeing an accountability mechanism for ACIM data, information and intelligence management.

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 22 – Data management and integrity**

One of the key concerns of state police jurisdictions was of the weight given to some intelligence over others and how the question of weightage will be addressed under a nationalised system.

    a. Are you looking to apply the admiralty scale nationally to address this concern?

    b. If so, how will it be rolled out across the country? If not, what are some of the alternatives you have identified?

**The answer is as follows:**

State and territory police raised concerns with respect to 'weightage' related to:
- the agreed Threat Risk Assessment Methodology (TRAM), and
- the admiralty scale.

TRAM
- State and territory jurisdictions raised some concerns with respect to how the TRAM methodology was being used to asses national targets.
- The ACC has since conducted a review of the TRAM, and the Australian Criminal Intelligence Forum (ACIF) was used to ensure state, territory and Commonwealth needs were incorporated.
- The concerns raised related to the emphasis placed on determining financials (the 'weightage').
- The view was that the financial questions were too difficult to assess and too influential in the overall threat assessment.
- This has since been amended and variables have been incorporated that encompass state and territory interests and priorities, including violence against persons.
- The review has now been completed and has resulted in a new national process which incorporates eighteen variables with equal rating to quantitatively measure threat and to generate a risk rating.
  - The introduction of this new process is a realisation of strategic objective 5 - *Embed an agreed national threat, harm and risk assessment methodology*.
- The new process has been implemented through the introduction of the National Target System (NTS).
- This system is currently being rolled out across Australian law enforcement agencies.

Admiralty scale
- The admiralty scale is a common tool already used in many law enforcement and national security agencies both in Australia and internationally.
- Admiralty rating, also known as reliability rating, is a system devised to represent the accuracy of information for intelligence use.

- It is an alpha numeric rating system to evaluate the veracity of the information reports it receives.
- The rating system consists of a combination of letters from A – F and numbers from 1–6. The letter represents the reliability of the source, while the number represents the reliability of the information.
- The letter A represents the greatest reliability of a source and the letter F represents the least reliable source.
- Number 1 represents the most reliable information and number 6 represents the least reliable information.
- It is important to note that in the admiralty rating system:
  - the source and the information are assessed and rated independently
    - For example: an A rated source (completely reliable) can deliver 3 (possibly true) or even 4 (doubtfully true) rated information. Conversely, a D rated source (not usually reliable) can deliver 1 (confirmed) or 2 (probably true) rated information
  - ratings of F and 6 are indicators of lack of prior knowledge about a source and an information subject respectively, and
  - a report with either of these ratings should not be dismissed or treated less critically solely on the basis of this lack of knowledge.

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AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 23 – Balancing national intelligence priorities with state/territory priorities**

Law enforcement agencies have raised concerns that they must work across national and local priorities and meet community and government expectations accordingly. The Victoria Police said that volume crime is the most significant issue for the police force, for example. What discussions and initiatives are under consideration to enable law enforcement agencies to balance a commitment to the NCIM[1] with their priorities and resources?

**The answer is as follows:**

Over the past two years, the Australian Criminal Intelligence Forum (ACIF)[2] has negotiated the development of the Australian Criminal Intelligence Model (ACIM) and the Australian Criminal Intelligence Management Strategy (the Strategy) with consideration of balancing a commitment to the ACIM with a commitment to individual agency priorities.

Discussions and initiatives to this end have focused on:
- *Establishment of the Australian Criminal Intelligence Forum (ACIF)* to guarantee stakeholder engagement and to ensure jurisdictions interests are reflected and represented.
- *Education* and familiarisation of each state and territories priorities to facilitate identification of 'touch points' and overlaps.
- *Engagement* with ACIF members in relation to national initiatives to ensure there is representation of state and territory interests.
- *ACIF 'Analyse & Produce' subgroup activities*
  - States and territories have their agency experts engaging in discussions to provide overarching approach to development of national training standards and competencies.
    - Considering localised qualifications to reduce the impost of travel and costs of training for state/territories while still maintaining consistency of qualifications and standards.
    - Considering secondments across agencies and peer reviews across agency as this will promote better understanding of each others needs and priorities.
    - Engaging with the Australia New Zealand Policing Advisory Agency (ANZPAA) to ensure alignment and input into the Education and Training Guidelines for Police Intelligence.
- *ACIF collaboration in the redevelopment of the national TRAM (Threat Risk Assessment Methodology) process*
  - The TRAM Review and Evaluation Project (TREP) incorporated state and territory crime views.

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).
[2] The Australian Criminal Intelligence Forum (ACIF), which is comprised of heads of intelligence from all ACC Board agencies plus representatives from CrimTrac and the Australia New Zealand Policing Advisory Agency (ANZPAA)

- The new threat variables incorporate jurisdictional requirements including crimes against persons and removed the high focus on the need for agencies to identify the quantum of illicit profits of crime.
- *ACIF collaboration on development of the National Criminal Intelligence Priorities (NCIPs)*
  - A set of processes and principles are to be agreed by the ACIF for the NCIPs
- *ACIF collaborating to develop a National Criminal Intelligence Product Directory (NCIPD)*
  - A NCIPD is to be developed to assist state and territories to connect with each other and to improve awareness of areas of interest and strategic product available across jurisdictions.
- *ACIF collaborating to develop a National Request for Information (NRFI) capability*
  - The NRFI aims to assist states and territories to connect with each other and to improve the flow of information between agencies and to avoid duplication.
  - Systems will improve efficiencies and provide a coordinated process for monitoring information requests and the associated replies.
- *ACIF meetings focussing and localised and national issues*
  - ACIF meetings are being held in jurisdictions to showcase their capabilities and to highlight issues of importance to them.
  - In February 2012, the ACIF discussed the Commonwealth Heads of Government Meeting lessons learned and a future meeting will focus on the 2014 G20 meeting, to be held in Queensland.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 24 – Balancing national intelligence priorities with state/territory priorities**

The Queensland Police Service made the point that their policing priorities are broader than the ACC and serious and organised crime and that police jurisdictions are always going to have different priorities which focus their resources and attention to that of the ACC and even other police jurisdictions. How will flexibility within the NCIM[1] be achieved to enable differing priorities?

**The answer is as follows:**

Over the past two years, the Australian Criminal Intelligence Forum (ACIF)[2] has negotiated the development of the Australian Criminal Intelligence Model (ACIM) and the Australian Criminal Intelligence Management Strategy (the Strategy). These negotiations have given consideration to the need for flexibility of processes so agencies can balance a commitment to the ACIM with a commitment to their individual agency priorities[3].

- There does not have to be a choice between national and jurisdictional priorities. They can co-exist and we expect for most agencies there will be some overlap of collection priorities.
- The ACIF supports flexibility by providing the mechanism for eight states and territories and many Commonwealth agencies to communicate their sometimes unique or divergent goals and to agree a set of national principles for intelligence practice that are also aligned with their individual priorities.
    - A series of subgroups have also been established to develop and promote best practice standards for management of intelligence nationally.
- The intelligence cycle[4] and principles of the ACIM are also flexible enough to be applicable across states and territories.
- The ACIM agreed intelligence cycle allows the same methodology to be used to develop intelligence no matter the priorities for each agency.
- Flexibility will also be achieved by using a 'building block' approach:
    - as agencies review their intelligence models, doctrines and capabilities, they will incorporate the agreed standards, process and methodologies, and
    - divergence of technical capabilities will be addressed through phased implementation of any new technologies.

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[1] Note the NCIM has been renamed the Australian Criminal Intelligence Model (ACIM).
[2] The Australian Criminal Intelligence Forum (ACIF), which is comprised of heads of intelligence from all ACC Board agencies plus representatives from CrimTrac and the Australia New Zealand Policing Advisory Agency (ANZPAA)
[3] Refer to question 23 for details of management of differing agency priorities.
[4] Refer to question 3 for details of the intelligence cycle.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 25 – Addressing variations in state/territory dissemination regulations and procedures and cultural change**

Police jurisdictions have emphasised that they are at different stages in the development, review or approach to criminal intelligence and operate under differing regulations and procedures. How will you systematically address these issues to ensure that each jurisdiction has equal access to intelligence holdings?

**The answer is as follows:**

All agencies have equal access to information and intelligence; the different stages they are at in their development cycles simply impacts on the efficiency with which they are able to collect, collate, analyse, review and share that information and intelligence.

With respect to the different regulations and procedures under which agencies are operating:
- the Australian Criminal Intelligence Model (ACIM) is promoting standardisation of process to ensure consistency across agencies and is incorporating flexibility so they can be applied across agencies[1]
- the Australian Criminal Intelligence Forum (ACIF) has collected details of agency legislative requirements with respect to sharing the various types of data, information and intelligence, and
- the ACIF Report & Disseminate subgroup will examine the identified legislative requirements to identify and pursue opportunities to address solutions to enable the freer flow of intelligence and information.

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[1] Refer to question 6 for details of initiatives underway with respect to standardisation of processes.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 26 – Addressing variations in state/territory dissemination regulations and procedures and cultural change**

Evidence to the committee suggests that agencies want to share information but that the current systems restrict them from sharing in a timely way or where intelligence is not entrenched within processes and cultures. Do you agree with this assessment and what are some of the methods you are looking to employ to address the problem?

**The answer is as follows:**

There is no doubt agencies want to share information and that the current technical systems are not the most optimal for efficiently and effectively facilitate this sharing in a timely manner. The other clear obstacle is multiple legislative frameworks that govern agencies ability to share. The Australian Criminal Intelligence Forum (ACIF[1]) has been considering these issues and options for addressing the problems.

*Legislation*
The first step to resolving legislative issues[2] is the examination of the various legislative frameworks at state, territory and Commonwealth levels to identify where the impediments and inconsistencies are[3].
- ACIF *Report & Disseminate* subgroup is considering these issues.

*Systems*
Currently there is limited interoperability between systems for information sharing across agencies. Each agency has its own systems, processes and approval mechanisms. This slows the process of information sharing significantly and increases the chance of incomplete and duplicate information and intelligence.
- The ACID/ALEIN scoping study has been examining technologies to underpin the Australian Criminal Intelligence Model (ACIM), including options to underpin a National Request for Information (NRFI) capability.

*Proposed improvement*
- The ACIF is looking to establish a NRFI capability to improve efficiencies with respect to information sharing processes.
    - A NRFI capability, including a standard definition for RFIs, a priority rating scale, a set of key words, naming conventions, metadata standard fields and business rules, is currently under development.
    - Technical options for such a system are also being explored.

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[1] ACIF is comprised of heads of intelligence from all ACC Board agencies plus CrimTrac and ANZPAA representatives
[2] Note previous government commissioned reports and inquiries have recommended legislation be further examined to identify and remove impediments to information sharing.
[3] Refer to question 8 for more details around legislative frameworks and sharing.

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT

INQUIRY INTO THE GATHERING AND USE OF CRIMINAL INTELLIGENCE

AUSTRALIAN CRIME COMMISSION

**The Committee asked the following question in writing on 15 March 2013:**

**Question No – 27 – Addressing variations in state/territory dissemination regulations and procedures and cultural change**

What are some of the methods that you are looking to apply to engrain intelligence within decision making processes across board agencies?

**The answer is as follows:**

To engrain intelligence within the decision making process across Board agencies, intelligence needs to be viewed as an integral contributor to the decision making process. The establishment of the Australian Criminal Intelligence Forum (ACIF)[1] as a standing body for heads of intelligence nationally, with bi-annual updates to the ACC Board, is highlighting the importance of the intelligence function. The next steps to further embed intelligence within decision making processes involve:

- Promoting, educating and championing the criminal intelligence function nationally.
    - The ACIF has been promoting the Australian Criminal Intelligence Model (ACIM) throughout its development and has provided information sessions to numerous agencies[2].
    - An article on the ACIM and ACIF was provided for the Strategic Alliance Group (SAG) newsletter.
    - A joint meeting with the Serious Organised Crime Coordination Committee (SOCCC) is scheduled for May 2013.
- Implementation of the ACIM[3].
    - Implementation is to be phased over the next two years by actioning the ACIMs strategic objectives. Key achievements to date in this area include:
        - agreement of critical success factors (technology, culture, legislation/policy)
        - establishment of subgroups to address the critical success factors and the ACIMs strategic objectives[4], and
        - realisation of strategic objective 5 - *Embed an agreed national threat, harm and risk assessment methodology* – through the introduction of the National Target System (NTS).

Early success of these methods is evidenced by the creation of new Assistant Commissioner Intelligence role within the Queensland Police Service (QPS) and Western Australia Police (WAPol)[5].

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[1] ACIF is comprised of heads of intelligence from all ACC Board agencies plus CrimTrac and ANZPAA representatives.

[2] SOCCC, SCPEM, AC Crime Forum, NICTIC (National Intelligence Community Training Course), AUSTRAC, Information Management Policy Group (IMPG) at PM&C, Police Federation of Australia, WAPol Executive, TASPol Executive, ACC Board and various agencies through ACC lecture series.

[3] See question 5 for details of progress made towards implementation of ACIM.

[4] See question 4 for details of planned subgroup activities.

[5] NT, VICPOL, AFP already had Assistant Commissioners for their intelligence function