

6 April 2018

Dear Committee

Firstly, I must applaud the Parliamentary Joint Committee on Law Enforcement initiated an inquiry into the trade in elephant ivory and rhino horn.

My second reason for writing to you is to recommend and introduce you to Mr Luke Bond, an international expert in the illegal trade of wildlife in Australia.

I first met Mr Bond when he approached the Australian Crime Commission (ACC) in 2011 for assistance in an investigation into an Australia-based syndicate involved in the smuggling and selling of rhino horn in Australia. At the time, Mr Bond was the Principle Investigator for the then Department of Sustainability, Environment, Water, Population and Communities (SEWPaC). I was the Manager for the ACC's Strategic Intelligence Hub, responsible for undertaking threat assessments on Australia's most serious and organised crime targets and producing strategic intelligence reports. The reason Mr Bond was introduced to me, was because there was some doubt amongst ACC senior management as to whether to take on a 'soft' crime. However, after formal assessment of the target's risk - in terms of cost, safety to the Australian public, and the sustainability of highly endangered species – the answer was clearly 'Yes'.

My team subsequently prepared several reports into the nature and extent of the illegal wildlife trade in Australia. Among them was the first Australian Government's strategic intelligence report on wildlife crime in Australia, entitled *Illegal trade in Wildlife and links to serious and organised crime in Australia*. This report and the finding that wildlife crime is a major crime happening on our shores – provided the basis for the first joint criminal investigation called Project Aerostar between the ACC and SEWPaC. Another report identified links between the illegal wildlife trade and the Australian antique market sector.

Project Aerostar became a landmark investigation. It was the first time the ACC had collaborated with an Australian Government environment agency. It also led to INTERPOL being alerted to the target and issuing Blue and Green INTERPOL Notices - the first time that Australia has done this in relation to wildlife crime. The investigation ultimately led to legislative changes to restrict the trade in rhino specimens. But, as typically the case with wildlife crime cases, the target was caught, substantive evidence was found, but the target was not convicted. And even if he was, due to the minimal penalties imposed on wildlife crimes in Australia – it would have been a token penalty and no disincentive.

In 2015, Mr Bond went on to work for INTERPOL in France, as a senior investigator involved in stopping the international wildlife trade. During this time, he conducted a number of transnational operations and conducted numerous multi-agency meetings on enforcement and prevention. He was also a key-note speaker at the APEC summit on illegal wildlife trafficking https://www.apec.org/Press/News-Releases/2015/0828_WILDLIFE

In 2016, Mr Bond returned to Australia and now heads up the Tasmanian Government's Wildlife Investigation Unit (DPIPWE). He continues to be contacted by INTERPOL and other international agencies for expert advice on the international wildlife trade and what measures need to be undertaken to stop it on a global level.

I present this background to you as evidence in support of my recommendation that you contact Mr Bond as a subject matter expert in the inquiry.

My third reason for writing this letter is to contribute myself to the inquiry. I do this through the attached report, which I researched and wrote for INTERPOL whilst employed as a Senior Strategic Advisor for the Environment Security Program in 2015-2016. The report, entitled - *Environmental Crime and its Convergence with other Serious Crimes* does not align well to your Terms of Reference (touches on TOR a,e, h, j and k). However, I do believe it can contribute to the discussion of the challenges faced by enforcement agencies in dealing with the complex nature of a transnational crime and one that is not always perceived as a serious crime. And whilst the report discusses the nature of the illegal wildlife trade in general, it is directly relevant to the trafficking of ivory and rhino horn – of which Australia plays a part.

Central to the report is the issue of “crime convergence” – where illegal wildlife crimes converge with other serious crimes such as firearms trafficking, drug trafficking, people smuggling and terrorism. Crime convergence makes the detection, prevention and prosecution of this crime extremely complex – particularly when the ability of some state enforcement agencies to grasp and respond to the convergence of different crimes is well beyond their resourcing and skill capacity. Another issue raised in the report is the lack of international law to combat illegal wildlife crime, leaving countries to depend on what is often ineffective state-based legislation.

I should also note that the report not only discusses crime convergence in terms of its challenges, but also as well as the opportunities it presents to law enforcement. The report makes a number of suggestions on how agencies can better respond to convergence in transnational and national operations. In doing so, it promotes an integrated multi-disciplined and multi-agency law enforcement approach that is both strategic and operational in nature. The report concludes with a number of practical strategies for consideration by enforcement agencies.

I wish to thank you for the opportunity to contribute to the inquiry. I do hope the issues raised above will be given consideration and can contribute to what is a much needed dialogue but, more so, real and urgent action from Australia.

Kind regards

Dr Sylvia Loh
Director, EcoEnforce