



**Australian
BORDER FORCE**

REF

Ms Sophie Dunstone
Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Ms Dunstone

Inquiry and report into Crimes Legislation Amendment (Proceeds of Crime and Other Measures) Bill 2015

This submission is provided by the Department of Immigration and Border Protection Portfolio (DIBP) to support the Legal and Constitutional Affairs Legislation Committee's inquiry and report into Crimes Legislation Amendment (Proceeds of Crime and Other Measures) Bill 2015.

On 1 July 2015 DIBP and the Australian Customs and Border Protection Service formally became a single organisation. The department is responsible for policy, regulatory and corporate services as well as delivering visa and citizenship services, intelligence and specific border capability for the organisation. The enhanced operational enforcement arm, the Australian Border Force (ABF), provides a single frontline operational border agency with statutory responsibilities to enforce customs and immigration law.

To support our role of maintaining the integrity and security of our borders the ABF undertakes a range of activities including daily border control operations, investigations compliance and enforcement activities, immigration, detention and removal tasks.

One of the most effective methods in responding to evolving threats at the border is collaboration and joint-agency activities with other border, intelligence and law enforcement agencies – domestically and internationally. DIBP and the ABF shares intelligence, expertise and capability strengths with our partners to understand better our threats, vulnerabilities and risks, and we work together to respond with effective and targeted approaches and disruption activities. Having appropriate legislation that enables the sharing of information between agencies is vital to whole of government cooperation.

DIBP and the ABF have a large number of intelligence analysts and investigators out-posted to Commonwealth and joint state and territory law enforcement agencies. The resulting enhanced intelligence picture provides a greater understanding of the complex structures of criminal entities, and assists to determine the most effective targeting and disruption strategies. This includes staff seconded to the AFP's Fraud and Corruption Centre (FAC).

Moreover, the ABF holds unique powers at the border and plays a key role in national security. In partnership with other law enforcement and government agencies, including AUSTRAC, the ABF is putting every effort into combatting terrorism, including the financing of terrorism.

With the creation of the Counter Terrorism Units (CTU), the ABF is seeing an increase in detections of undeclared currency attempting to leave the country. CTU teams have detected approximately AU\$6 million in excess undeclared currency between August 2014 and 15 October 2015.

Noting the criticality of sharing information, we are supportive of the proposed changes that provide legislative certainty and clarity to the information sharing ability of AUSTRAC and AusCheck with other law enforcement and national security agencies.

Yours sincerely

Stephen Allen
Acting Deputy Commissioner

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