



Australian Government
**Department of Agriculture,
Water and the Environment**

Mr Craig Kelly MP
Chair
Parliamentary Joint Committee on Law Enforcement
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Chair

COVID-19, criminal activity and law enforcement

The Department of Agriculture, Water and the Environment (the Department) welcomes your invitation to provide a submission to the Parliamentary Joint Committee on Law Enforcement's inquiry into criminal activity and law enforcement during the COVID-19 pandemic.

The Department is responsible for addressing non-compliance in relation to Australia's biosecurity, agricultural trade and environmental programs, which remain critical functions for government during the pandemic.

As the submission outlines, the department is alert to the possibility of the exploitation of COVID-related changes to trade and supply chains, particularly at the border. Intelligence resources have been dedicated to examining emerging threats, and the Department has actively participated on COVID-related intelligence and data working groups to ensure any new criminal and non-compliance threats can be quickly identified and addressed.

The Department continues its focus on preventing, detecting and responding to non-compliance and monitoring any emerging behavioural trends in relation to Australia's agricultural and environmental regulation, though to date nothing indicates a change in the overall profile of criminal and non-compliant behaviour.

The Department will make further arrangements should you need any further information or wish to discuss the Department's submission.

Yours sincerely

Lyn O'Connell
Deputy Secretary
Biosecurity and Compliance

30/07/2020



Australian Government

**Department of Agriculture,
Water and the Environment**

Response to Joint Committee on Law Enforcement Enquiry into COVID-19, criminal activity and law enforcement

28 July 2020

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Overview

The Department of Agriculture, Water and the Environment is responsible for addressing non-compliance in relation to Australia's biosecurity, agricultural trade and environmental programs.

The Department is alert to the possibility of the exploitation of COVID-related changes to trade and supply chains, particularly at the border. The Department has dedicated intelligence resources to examining emerging threats, and is actively participating on COVID-related intelligence and data working groups. The Department continues its focus on preventing, detecting and responding to non-compliance and monitoring any emerging behavioural trends in relation to Australia's agricultural and environmental regulation, though to date nothing indicates a change in the overall profile of criminal and non-compliant behaviour.

Restrictions on international travel and trade have conversely impeded some criminal and non-compliant behaviour, such as wildlife trafficking and deliberate or inadvertent non-compliance with traveller related biosecurity controls. It is possible that entities have changed their methodology as a result of the pandemic, however as it relates to the Department's regulatory regimes, it is more likely that they have focused on other crime typologies not related to border activity.

Departmental capabilities

As a result of the Department's investment in remote working and collaboration platforms, intelligence and law enforcement capabilities have transitioned largely seamlessly to deal with work restrictions resulting from the pandemic. This highlights the ongoing need for intelligence and law enforcement entities to invest in digital capability and support remote working arrangements which enable seamless law enforcement business continuity arrangements.

The Department has also maintained operational and information sharing arrangements with partner agencies, transitioning many to online platforms, or maintaining at-border operational partnerships. These direct and remote partnerships are anticipated to assist in identifying any changing patterns of criminal behaviour which may emerge at juncture points between the regulatory and law enforcement responsibilities of different agencies.

The Department has also recently joined the Criminal Justice and Law Enforcement Forum of Commonwealth agencies established by the Department of Home Affairs. This forum has provided an additional strategic platform for coordination between law enforcement agencies to address emerging criminal threats, including any generated as a result of the pandemic. The Department will continue to work with partner agencies to improve coordination and ensure that any lessons learned during the pandemic continue to enhance operational activity into the future.

Internally, the Department continues to actively monitor fraud and corruption risk. At this stage, the changes to working arrangements as a result of COVID-19 have not significantly changed this risk, which remains within tolerances. Indications to date do not point to any malicious insider activities. The department's Fraud and Corruption, Enterprise Risk and Internal Audit capabilities continue to work in close cooperation to monitor and manage ongoing and emerging integrity risk, and remains positioned to respond to any changes in the risk environment.

Outlook

The Department is conscious that the commercial and financial pressures placed on some legitimate and criminal entities may incentivise non-conformance behaviour, particularly as Australia moves towards economic recovery and diversification of key trading partners. In particular, the effects of a biosecurity incursion during the pandemic or post-pandemic recovery could have severe economic impacts which would hamper recovery efforts. Preventing this eventuality remains a key focus for the Department's regulatory and enforcement functions.