

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 31

Senator Humphries asked the following question at the hearing on 14 February 2012:

Carbon Tax

1. Has the working group commissioned under the heads of law enforcement agencies regarding investigations surrounding fraud with the implementation of the carbon tax convened as indicated in the October round of Senate Estimates? If so, what level is each member of the working group and from which program areas have they been sourced?
2. What were the outcomes of the meeting between the lower levels of the AFP who were to meet in October to determine what processes, rules and terms of reference the working group would adhere to?
3. How many members may be called upon to investigate allegations of fraud with the implementation of the carbon tax? How many of these members have been assigned to investigating fraud surrounding the carbon tax?

The answer to the honourable Senator's question is as follows:

1. The Heads of Commonwealth Law Enforcement Agencies (HOCOLEA) working group addressing the law enforcement implications of carbon pricing mechanisms, convened on 14 December 2011, 23 January 2012 and 28 February 2012. The next meeting of the working group is scheduled for 26 March 2012 and will be reporting back to HOCOLEA in early April 2012.

The working group is co-chaired by the Australian Federal Police (AFP) and the Clean Energy Regulator. The group is also comprised of members from the Department of Climate Change and Energy Efficiency, Australian Crime Commission, the Commonwealth Department of Public Prosecutions, the Attorney-General's Department, the Australian Taxation Office, the Australian Securities and Investment Commission and Australian Transaction Reports and Analysis Centre. Working group members are at the APS SES Band 1 level and above.

2. There was no meeting that occurred in October 2011 between the lower levels of the AFP in relation to this matter. On 14 December 2011 the HOCOLEA working group, co-chaired by the AFP, met and endorsed a Terms of Reference.
3. The AFP's Crime Operations portfolio is responsible for investigating allegations of fraud. As at 31 January 2012, the AFP Crime Operations portfolio comprised a total of 360 sworn members. The focus of Crime Operations strategy is the deployment of resources and skills to where they will have the greatest preventative impact and disruptive effect on criminal networks. As part of this strategy, Crime Operations employs a flexible staffing approach, and staffing levels and tenure fluctuate dependent on operational priorities within the Crime Operations portfolio.