

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Output 2.1

Question No. 55

Senator Ludwig asked the following question at the hearing on 24 May 2006:

Can an update of the list provided in October 2005 be provided relating to the list of agencies that have contributed to the proceeds of crime fund and the amount each agency has contributed?

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

The list provided in October 2005 related to the allocation of funds from the Confiscated Assets Account (CAA), not of agencies that had contributed to the CAA. You have now requested a list of agencies that have contributed to the proceeds of crime fund and the amount each agency has contributed.

Agencies which have been involved in investigations which have led to the confiscation and/or recovery of funds under the *Proceeds of Crime Act 2002* include:

- Aboriginal and Torres Strait Islander Commission
- Attorney-General's Department
- Australian Post
- Australian Crime Commission
- Australian Federal Police
- Australian Taxation Office
- Australian Securities and Investment Commission
- Centrelink
- Australian Customs Service
- Department of Defence
- Department of Immigration and Multicultural Affairs
- Medicare, and
- State Police agencies (Queensland, Victoria, Western Australia and New South Wales).

The CDPP is unable to assign a dollar value to the "contribution" of each agency. There are often a number of different agencies involved in an individual POC investigation, each with different roles and responsibility.

Non-enforcement agencies (eg: ATO, HIC, Centrelink) will usually require the assistance or sponsorship of an enforcement agency (usually the AFP) to conduct investigations under the POCA 2002. The precise level of involvement of the "source" agency vs. the sponsoring enforcement agency varies from case to case. For this reason, whilst one investigation may result in the confiscation of particular funds, several different agencies may have "contributed" to the investigation, and thus the confiscation of funds under the POCA 2002.