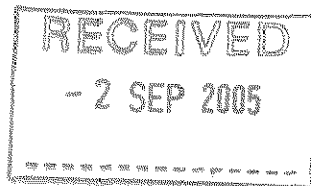




DPP



Commonwealth Director of Public Prosecutions

Your reference:

Our reference:

1 September 2005

Mr Jonathan Curtis
Committee Secretary
Parliamentary Joint Committee
on the Australian Crime Commission
Parliament House
CANBERRA ACT 2600

PARLIAMENTARY JOINT COMMITTEE ON
THE AUSTRALIAN CRIME COMMISSION

REC'D: 2 Sep

FROM: Cth DPP

AUTHORISED FOR PUBLICATION:

SECRETARY: [Signature]

Dear Mr Curtis

Review of the Australian Crime Commission Act 2002

I refer to your letter of 27 July 2005 to the Commonwealth Director of Public Prosecutions
inviting a submission to the Committee's review of the Australian Crime Commission Act 2002
("the Act").

The role of the CDPP is to prosecute criminal offences against the laws of the Commonwealth
and to confiscate the proceeds of Commonwealth crime. The CDPP has no power to investigate
criminal matters and relies on other investigation agencies, including the Commission, to refer
briefs of evidence for consideration of prosecution action. The CDPP however has a role to play
in assisting investigation agencies by providing legal advice during the investigation stage.
Under subsection 7A(c) of the Act, the ACC is able to investigate matters relating to federally
relevant criminal activity. Upon briefs of evidence being provided to the CDPP, they are
assessed in accordance with the Prosecution Policy of the Commonwealth.

Matters referred by the ACC may concern a range of conduct such as drug importations and
fraud on the Commonwealth. Matters may also relate to alleged offences against section 30 of
the Act involving failing to attend an examination, or against section 33 for giving false or
misleading evidence.

The CDPP has not identified any issues which it wishes to raise in the context of the review.
The CDPP has experienced positive working arrangements with the Commission at both an
investigative and liaison level and the CDPP looks forward to continuing to work with the
Commission in our respective roles in relation to the investigation and prosecution of
Commonwealth offences.

HEAD OFFICE

Thank you for inviting the Commonwealth DPP to make a submission.

Yours sincerely

A handwritten signature in cursive script, appearing to read "J. E. Carter".

James Carter
A/g Assistant Director