

Chapter 1

Introduction

Terms of reference

1.1 The duties of the Parliamentary Joint Committee on the Australian Crime Commission are set out in paragraph 55(1)(d) of the *Australian Crime Commission Act 2002* (the ACC Act). The duties of the Committee are:

...to examine trends and changes in criminal activities, practices and methods and report to both Houses of the Parliament any change which the Committee thinks desirable to the functions, structure, powers and procedures of the ACC...¹

1.2 On 4 December 2005, pursuant to its remit under paragraph 55(1)(d), the Committee initiated an inquiry into the importation, manufacture and use of amphetamines and other synthetic drugs (AOSD) in Australia. The particular focus of the inquiry was on:

- trends in the production and consumption of AOSD in Australia and overseas;
- strategies to reduce the AOSD market in Australia;
- the extent and nature of organised crime involvement;
- the nature of the Australian law enforcement response;
- the adequacy of existing legislation and administrative arrangements between Commonwealth and state agencies in addressing the importation, manufacture, and distribution of AOSD and the precursor chemicals and equipment used in their manufacture; and
- an assessment of the adequacy of the response by Australian law enforcement agencies (LEAs), including the ACC.²

Conduct of the inquiry

1.3 The Committee advertised the inquiry in the *Australian* newspaper on Wednesday 11 January 2006. In addition, the Committee wrote to organisations and individuals with a likely interest in the inquiry.

1 The *Australian Crime Commission Act 2002* may be accessed at: http://www.austlii.edu.au/au/legis/cth/consol_act/acca2002289/ (website viewed 28 November 2006).

2 The inquiry's terms of reference may be accessed at: http://www.aph.gov.au/senate/committee/acc_ctte/aosd/tor.htm (website viewed 28 November 2006).

1.4 The Committee received 33 submissions, which were published and made publicly available on the Committee's website. A list of submissions is at appendix 1.

1.5 The Committee conducted five public hearings as part of the inquiry. Throughout 2006, hearings were held in Adelaide on 3 May, Perth on 4 May, Brisbane on 15 May, Sydney on 16 May, Canberra on 5 and 19 June, and Melbourne on 13 October. Details of witnesses who appeared at these hearings are listed at appendix 2.

1.6 A number of documents were tabled in the course of the inquiry; these are listed at appendix 3.

1.7 Additional information received is listed at appendix 4.

1.8 A table of AOSD is included at appendix 5. The table contains details of common and chemical names, methods of use and the chemical compositions of various AOSD.

1.9 Posters from the Department of Health and Ageing's National Drugs Campaign, discussed at paragraph 4.5, may be found at appendix 6.

The report

1.10 The report addresses the Committee's terms of reference in the following five chapters:

1.11 Chapter 2 defines AOSD and provides an overview of the production and consumption of AOSD in Australia. The chapter also discusses the extent to which organised crime is involved in AOSD manufacture and distribution in Australia.

1.12 Chapter 3 examines the current national policy framework for licit and illicit drugs, the National Drug Strategy (NDS), and provides a brief overview of the key policy and research bodies that oversee and have input into the policy.

1.13 Chapter 4 scrutinises two goals of the NDS: demand reduction and harm reduction. This chapter highlights the harms associated with AOSD use and underlines the need for a holistic and integrated approach to the issues surrounding AOSD.

1.14 Chapter 5 discusses the national law enforcement environment. It provides an overview of the key Commonwealth agencies, and reviews legislative arrangements to address the importation, manufacture and distribution of AOSD and to regulate the precursor chemicals and equipment required in their manufacture, particularly the *Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) Act 2005*.

1.15 Chapter 6 discusses the third goal of the NDS: supply reduction. It reviews the main strategies employed by LEAs to achieve this goal, and assesses the adequacy of the overall response.

1.16 The report structure reflects the current NDS, which is predicated on pursuing the three goals of supply reduction, demand reduction, and harm reduction. While the Committee acknowledges that the latter two goals are largely outside the concern of the Australian Crime Commission (ACC) and other LEAs, the wider policy environment in which LEAs are required to operate influences how they address the issue of AOSD supply. Therefore, the report examines harm and demand reduction in order to provide a more complete picture of the response to AOSD in Australia.

Recommendations

1.17 The Committee's report makes 18 recommendations, which flow from the inquiry's findings on the importation, manufacture and use of AOSD in Australia. Eight recommendations relate directly to the functions, structure, powers and procedures of the ACC and, as such, require consideration and responses from the ACC. Ten recommendations do not. The Committee acknowledges that, because they fall outside its jurisdiction, the ACC is not directly responsible for acting upon these ten recommendations. However, the inquiry found that a number of legislative and administrative issues around AOSD should be addressed, and the Committee has made recommendations accordingly.

Acknowledgments

1.18 The Committee wishes to express its appreciation to all parties that contributed to the conduct of this inquiry, whether by making a written submission, by personal attendance at a hearing or, as in many cases, by making both written and oral submissions.

1.19 The nature of this inquiry was such that it was difficult for those most affected by the use of amphetamines and other synthetic drugs—the users—to give evidence to the Committee. The Committee acknowledges the contribution of radio station Triple J in dedicating its current affairs program *The Hack*, on Friday 5 May 2006, to the subject of AOSD, and by providing the Hon. Senator Ian Macdonald, the chair of the Committee, with the opportunity to discuss the AOSD inquiry on the program. Along with the contributions of people who telephoned the station during the program, the Committee received a number of useful written submissions from listeners.

1.20 Finally, the Committee wishes to recognise the efforts of the officers of the secretariat, who assisted with the conduct of the inquiry and the drafting of this report.

