

Chapter 1

The conduct of the inquiry

Terms of reference

1.1 The duties of the Parliamentary Joint Committee on the Australian Crime Commission (ACC) are set out in section 55(1)(d) of the *Australian Crime Commission Act 2002*. These duties, inter alia, require the committee to examine trends and changes in criminal activities, practices and methods and report to both houses of the parliament any change that the committee thinks desirable to the functions, structure, powers and procedures of the ACC.

1.2 On 4 December 2006, pursuant to its remit under paragraph 55(1)(d), the committee initiated an inquiry into the future impact of serious and organised crime on Australian society. The terms of reference required the inquiry to have particular reference to:

- (a) Future trends in serious and organised crime activities, practices and methods and their impact on Australian society;
- (b) Strategies for countering future serious and organised crime;
- (c) The economic cost of countering future organised crime at a national and state and territory level; and
- (d) The adequacy of legislative and administrative arrangements, including the adequacy of cross-jurisdictional databases, to meet future needs.

Conduct of the inquiry

1.3 In accordance with usual practice, the committee advertised the inquiry in the *Australian* newspaper. The advertisement first appeared on Tuesday 12 December 2006, and subsequently ran for several months. In addition, the committee wrote to a range of organisations and individuals with a likely interest in the inquiry.

1.4 The inquiry received 25 written submissions. These were published and made available on the committee's website. A list of submissions received is contained in appendix 1.

1.5 The committee conducted seven public hearings as part of the inquiry. Hearings were held in Perth on 30 April 2007; Melbourne on 1 May 2007; Brisbane on 7 June 2007; Sydney on 8 June 2007; and Canberra on 5 July 2007, 6 July 2007 and 13 August 2007. Details of witnesses who appeared at these hearings are listed in 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 by the committee is listed at appendix 4.

1.8 Appendix 5 contains the definition of serious and organised crime as set out in section 4 of the *Australian Crime Commission Act 2002*.

Report structure

1.9 The report addresses the committee's terms of reference in the following chapters:

1.10 Chapter 2 deals with the character of organised crime groups in Australia, as well as examining trends in their practices and methods.

1.11 Chapter 3 addresses the present and emerging trends in the activities of organised crime groups.

1.12 Chapter 4 outlines broad strategies for countering these trends.

1.13 Chapter 5 endeavours to assess the cost of organised crime and its consequences, including its effect on individuals, communities and society more generally.

1.14 Chapter 6 examines the legislative environment in which law enforcement operates against organised crime, the adequacy of that environment and strategies to improve it.

1.15 Chapter 7 scrutinises the administrative and regulatory arrangements under which law enforcement and the ACC operate in dealing with organised crime. It identifies several weaknesses and proposes a number of strategies to address them.

1.16 Chapter 8 assesses the adequacy of the databases available to the ACC and law enforcement agencies. The committee examines improvements which could be made in the performance and accessibility of cross-jurisdictional databases.

1.17 The evidence given to the committee during its hearings on the nature and extent of organised crime in Australia was in parts, alarming.

1.18 Given the sensitive nature of investigatory processes and the confidentiality of much of the operational information of law enforcement agencies, the committee has been able to look at the issues of the extent of organised crime, its cost to the community and the adequacy or otherwise of the current level of law enforcement in only general terms.

1.19 Nevertheless, the committee has highlighted some shortcomings in national crime fighting capacities and has throughout the report identified a number of areas where further scrutiny by the committee may be warranted.

Recommendations

1.20 The committee's report makes 22 recommendations arising from the inquiry's findings.

1.21 Due to the broad nature of the inquiry, it was difficult to examine any one area in great detail. Rather, this inquiry served to bring to the surface several issues that are currently or may in the future pose a challenge to the effectiveness of law enforcement agencies' efforts to address serious and organised crime in Australia. The committee urges all governments in Australia to give consideration to these findings.

Acknowledgments

1.22 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.

