



CORRUPTION AND CRIME COMMISSION OF WESTERN AUSTRALIA

Your ref:

Our ref: 03236/2006:AG

19 January 2006

Dr Jacqueline Dewer
Committee Secretary
Parliamentary Joint Committee
on the Australian Crime Commission
Parliament House
Canberra ACT 2600

Dear Dr Dewer

INQUIRY INTO THE FUTURE IMPACT OF SERIOUS AND ORGANISED CRIME ON AUSTRALIAN SOCIETY

Thankyou for the Committee's invitation to provide a submission to its inquiry. The information and data collected in the conduct of the inquiry, in addition to its intended purpose relating to the functions, structure, powers and procedures of the Australian Crime Commission, should be valuable to the national law enforcement community at both state and federal levels and I will look forward to reading the Committee's completed report.

The Inquiry's Terms of Reference naturally focuses on organised crime, for which the Corruption and Crime Commission has no investigative function. The Commission's organised crime function is limited to its authorisation of the use of exceptional powers granted under Part 4 of the *Corruption and Crime Commission Act 2003* (the Act). The exercising of these powers is limited by the application of the Commissioner of Police, Western Australia Police (WAPOL). Based upon the application, the Commission may make an exceptional powers finding pursuant to the Act, which authorises the use of the exceptional powers by WAPOL in its organised crime investigations. Subsequently, due to this limited, gatekeeper role, the Commission is not in a position to offer comment on, or provide any empirical data concerning, trends and changes in such criminal activities.

The area of your Inquiry for which the Commission's input may be valuable concerns part (d) of its Terms of Reference, specifically, the adequacy of legislative arrangements to meet future needs.

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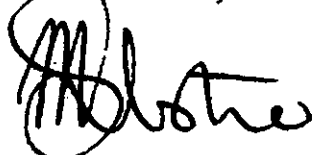
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On 7 December 2005, the Commission tabled in the Western Australian Parliament its Report to the Joint Standing Committee on the Corruption and Crime Commission with regard to the Commission's Organised Crime and Contempt Powers. This report, which was also reproduced as Appendix 4 of the Commission's submission to the Western Australian Attorney General's Review of Justice Legislation, dated 20 January 2006, dealt with, inter alia, the adequacy of the Commission's organised crime function and made recommendations for legislative amendment. While the report concerns the Western Australian environmental and legislative contexts, it may be useful in relation to the cross-jurisdiction aspects of the Committee's inquiry.

The report is available on our website under 'Publications and Speeches' as 'Organised Crime Report to the Joint Standing Committee'.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Silverstone', written over a circular stamp or mark.

Mike Silverstone
EXECUTIVE DIRECTOR