

STRUCTURE OF THE REPORT AND RECOMMENDATIONS

Structure of the Report

The main objective of the inquiry is to determine the capacity of both the AFP and NCA to meet their specific objectives. This includes a consideration of their staffing and funding and the extent to which there is, and has been, appropriate management of these substantial human and financial resources (Terms of reference a-d, f-g).

Chapter 1 of the report summarises the management of the inquiry, and also provides some background to the changes that have occurred in both the AFP and the NCA over the past few years. Chapter 2 outlines the legislative base of both agencies, and legislative changes that have occurred. The latter reflect changing priorities and, in the case of the AFP in particular, the substantial restructure of the organisation.

Ayers Report

It is not the intention of the report to comment on the detail of restructure reform, especially that which has occurred in respect of the AFP, but to determine if there are issues which need further exploration. The Committee was not provided with a copy of the Ayers Report,¹ which assessed issues of management in the AFP in 1998. This was classified as a Cabinet document. Therefore, it has been unable to comment in detail on the content of the findings. Its assessment can only be on the findings, the appendices and the Milestones section, and on information of a general nature provided by witnesses.

Insofar as the Ayers inquiry was undertaken three years into a major restructure of the AFP, and followed on more detailed assessments of financial and other issues,² it is a study of the progress of this change and its effectiveness.

The Ayers report is considered in Chapter 3

Funding

Chapter 4 deals with the question of funding to both bodies. Many members of the Estimates Committee³ have expressed concern in recent years about the allocation and use of funding by the AFP in particular. While certain of these concerns may have been addressed by the Ayers inquiry, the Committee has identified some issues relating to the AFP's management and understanding of its funding.

1 See below, Chapter 1, Paragraph 1.6

2 See below, Chapter 3, Paragraph 3.71 (Footnote 114)

3 See, for example, *Estimates Hansard*, Legal and Constitutional, 2 June 1998, p. 89 *Estimates Hansard*, Legal and Constitutional, 1 December 1999, pp. 18-23; 89 *Estimates Hansard*, Legal and Constitutional, 2 May 2001, p. 44

Chapter 5 considers in greater detail the issue of the recent budget funding, and the relationship between the 1999-2002 Certified Agreement and the budget

Staffing and Staff Management

Chapters 6 and 7 concentrate on staffing issues, including the skills of staff, retention policies, use of resources relative to priorities, and the extent to which performance indicators in use are adequate and effective. Reference is also made in Chapter 3 to some aspects of performance indicators and evaluation.

Management of Commonwealth Law Enforcement (Term of Reference (e))

The operational effectiveness of the AFP and NCA depends to a considerable degree not only on the appropriate use of adequate resources and the skills of staff, but the proper direction of crime fighting overall. Both the AFP and the NCA have particular and different roles to play, along with State police forces and other bodies such as Crime Commissions, in taking a co-ordinated part in attacking localised and international crime, and crime in both the public and the private sector.

Some witnesses suggested to the Committee that there was a need to restore a central agency such as the Commonwealth Law Enforcement Board (CLEB) to take responsibility for ensuring that priorities match needs; that resources are being used appropriately; that agencies are not straying from their primary tasks;⁴ and that the AFP, NCA and the many agencies which provide a range of policing and support services are working in a well-integrated fashion.⁵ In short, it is claimed, an important function is not being met,⁶ with the result that there is a lack of effective management and a failure to identify real problems.

The Committee considers these and related issues in Chapter 8.

Recommendations

The Committee has made four recommendations. They are listed in the relevant chapters, and have been brought together on the following page.

4 *Transcript of evidence*, Australian Federal Police Association, p. 151

5 See, for example, *Transcript of evidence*, Australian Federal Police Association, p. 74, pp. 77-78

6 See, for example, *Transcript of evidence*, Australian Federal Police Association, p. 150

LIST OF RECOMMENDATIONS

Recommendation 1, Following Paragraph 6. 65

Recommendation 1

The Committee **recommends** that the procedures for dealing with complaints and allegations be examined with a view to their being simplified and made more transparent, and to ensuring that employees are not disadvantaged by the use of administrative instead of disciplinary processes.

Recommendation 2, Following Paragraph 7. 92

Recommendation 2

The Committee **recommends** that the NCA implement its proposed integrated performance measurement framework as a matter of priority

Recommendation 3, Following Paragraph 8.83

Recommendation 3

The Committee **recommends** that the Government examine the best means of providing a point or body for the effective peak management and coordination of the Commonwealth law enforcement effort, and work to its expeditious implementation.

Recommendation 4, Following Paragraph 8.83

Recommendation 4

The Committee **recommends** that, in light of recommendation 3, the party responsible for the effective coordination and oversight of the Commonwealth law enforcement effort develop, and regularly update, a quantified estimate of the ‘criminal environment’, into which law enforcement bodies provide input.

Senator J McKiernan

Chair

