

Term of reference (d) - The adequacy of legislative and administrative arrangements, including the adequacy of cross-jurisdictional databases, to meet future needs

The ACC Act and legislation such as that covering telephone interception, controlled operations and surveillance devices provide the ACC with a range of functions and powers that recognise the need for the Commission to engage in investigative and other activity that is inherently intrusive. These powers are appropriately balanced by overarching internal and external governance and accountability arrangements that provide an ongoing level of scrutiny. At the same time, the secrecy provisions in the Act and exemptions from, for example, privacy legislation, provide the ACC with the protection necessary to prevent the exposure of its methods and operations to criminal groups.

While these legislative and administrative arrangements are considered adequate to address the current criminal environment, it may be necessary in the future to consider amendments to counter the increasing sophistication of serious and organised criminal activity. While acknowledging potential community unease in relation to increases in law enforcement powers, the high level negative impact of serious and organised crime may require consideration of such approaches in the future. Community awareness of the impact of serious and organised crime on Australian society is essential to inform debate on any future proposals for strengthening law enforcement capacity.

The ACC continues to actively contribute to legislative and administrative reform proposals, and where necessary to address any inadequacies in ACC powers to investigate serious and organised crime. Continued scrutiny of legislation, including through post operational analysis of the outcomes of investigations and intelligence operations, to identify gaps in regulatory controls is essential. Recent amendments to cash reporting obligations introduced through the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* are a strong example of the recognition of the need for enhanced law enforcement capacity in a specific area. Ongoing examination of the operational impacts of legislation governing information exchange between agencies to identify impediments to the efficient sharing of criminal information and intelligence is also critical.

The ACC continues to support successful prosecutions for witnesses failing to cooperate at ACC examinations. There are currently amendments to section 33 of the ACC Act before the Parliament (see item 45 of the *Crimes Legislation (National Investigative Powers and Witness Protection) Bill 2006*), aimed at reversing the onus of proof in relation to an element of the offence.

Cross-jurisdictional databases

The Australian Criminal Intelligence Database

The legislated functions of the ACC include the maintenance of a national database of criminal information and intelligence. That national database is the Australian Criminal Intelligence Database (ACID). ACID provides a secure, centralised national repository for analysis and retrieval of data on entities (such as persons and organisations) and their attributes, and is used by all Australian police forces and a range of other government agencies.

ACID provides facilities for the sharing of criminal intelligence nationally. This promotes a consistent, multi-agency response to emerging national crime trends. ACID's strength lies in its ability to highlight the interrelationships and dependencies that exist within and between entities and attributes within criminal networks. It enables law enforcement agencies to develop effective tactical responses to combat and dismantle the activities of SOCGs.

Over the past year, a number of analytical capability enhancements were made to ACID including:

- bulk search capability;
- network analysis (charting) capability;
- sVENN capability – a method of integrating results from multiple searches against ACID;
- full spatial mapping analytical capability;
- geo-coding of existing addresses and upload and download facilities; and
- testing of concept management tools to enhance the knowledge and understanding of the vast amounts of criminal intelligence data stored within ACID.

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Release of these tools has substantially enhanced the value of ACID to intelligence users. This is demonstrated by a marked increase in the use of the system - a 23 percent increase in ACID searches and a 15 percent increase in document uploads in 2006 compared with 2005.

The ACC is currently implementing very advanced multi-layered network analysis capability for release later this year. This will enable, for example, identification of links between individuals and syndicates within large quantities of address, bank account, phone number, vehicle registration, licence, etc details. Further analytical enhancements are being considered and the ACC is currently exploring advanced options with a number of agencies and firms in the United States of America, Canada, the United Kingdom and Europe.

The ACC is implementing a portal which among other benefits will enable greater engagement with private sector agencies. This will leverage considerable cooperation between the ACC and the private sector in the collection and analysis of high-volume identity and other fraud-related information.

The Standard Intelligence Exchange Format

The Standard Intelligence Exchange Format (SIEF), formulated by the ACC, is designed to develop and support information exchange standards and processes to enable jurisdictions to effectively share information. SIEF is not a software program or a computer system, but a set of standards facilitating information exchange amongst law enforcement agencies that allows disparate systems to share, exchange, accept, and translate information.

SIEF will:

- facilitate intelligence sharing through ACID by standardising file types;
- provide a standard mechanism for sharing information which will assist in increasing the types and volume of data held in ACID; and
- provide resources to law enforcement agencies to improve information management and dissemination not only between their databases and ACID but also between their databases and those of other jurisdictions.

The SIEF Project encourages information sharing and provides practical support to jurisdictions to achieve this. This initiative has created a positive impact on national intelligence holdings within ACID and law enforcement agencies are embracing the approach. Currently the ACC is working with all state police forces and the Northern Territory Police to implement SIEF connectivity between ACID and each jurisdiction's databases. The ACC aims to implement SIEF during 2007.