

## Parliamentary Joint Committee on Law Enforcement

### Inquiry into the Australian Crime Commission Annual Report 2014–15

#### Question on Notice –ACC

**CHAIR:** I have a couple of questions, Mr Dawson. On page 32 you have 'Cash and casino chips seized'. Do you know what the break-up is between cash and casino chips—the percentage of each?

**Mr Dawson:** I do not have that with me. I can provide it on notice.

**CHAIR:** Can you have a guess, just for the sake of this conversation. You can come back later with the exact number, but do you have any idea?

**Mr Dawson:** It would predominantly be cash.

**CHAIR:** Would it be 10 per cent casino chips, or 20 per cent casino chips?

**Mr Blanch:** A significant majority would be cash. Only a small percentage is casino chips.

**CHAIR:** What is the advantage to a criminal of having casino chips rather than cash?

**Mr Blanch:** It can be a money-laundering technique. It is easy to carry around. It is a lot smaller.

**CHAIR:** It is smaller physically, so when they have so much of it it is easier.

#### **Australian Crime Commission**

During the 2014-15 financial year the ACC seized casino chips to the value of \$4,000 and cash to the value of \$34,750,116.

Expressed as a percentage the breakdown is .0001% casino chips and 99.999% cash.

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**ACTING CHAIR:** Is there a listing in this annual report that we are examining today of the proceeds of crime—

**Mr Williams:** It may well be in our financial statements. Just bare with me and I will have a little look. It is referred to in several different places throughout the document. If you will bear with me, I will see if I can find it.

**Mr Dawson:** Page 126 has some reference to that. It does not have the exact breakdown of the numbers.

**Mr Williams:** I do not know that it is explicitly categorised as a—

**ACTING CHAIR:** Maybe you could take it on notice. Is that alright?

**Mr Dawson:** Yes, it is.

**ACTING CHAIR:** Thank you.

#### **Australian Crime Commission**

In 2014-15, the ACC has only one project that received funding from Proceeds of Crime, namely the Criminal Assets Confiscation Taskforce. The ACC spent \$0.271m on the project in 2014-15.

## Parliamentary Joint Committee on Law Enforcement

### Inquiry into the Australian Crime Commission Annual Report 2013–14

#### Question on Notice –ACC

**CHAIR:** So, in effect, the actual status of that asset is still to be determined—whether it would be forfeited or whether it would be returned to that person. Is that correct?

**Mr Dawson:** The red bar is for forfeitures—

**CHAIR:** Sorry—I mean the grey coloured bar—the assets restrained. If I am looking at the last financial year, that is how much you basically had before the courts.

**Mr Dawson:** The grey bar would be those that are yet to be resolved.

**CHAIR:** So, that could come back, and that could—

**Mr Dawson:** Correct.

**CHAIR:** For the previous years, do you know what percentage of what you restrain gets forfeited?

**Mr Dawson:** I think it may be better to take that question on notice. It will, though, require each of us to go to our partner agencies, because this is a compilation of a number of jurisdictional proceeds of crime efforts. But we will certainly make every endeavour to give you a more detailed response.

#### **Australian Crime Commission**

The ACC's principal partner in relation to proceeds of crime is the Criminal Assets Confiscation Taskforce (CACT), noting on some occasions state and territory agencies form partnerships with the ACC to seize property and wealth under state legislation.

The ACC currently offers the CACT valuable leverage across three broad levels:

- generation and development of referrals to the CACT for proceeds action, primarily through its National Criminal Intelligence Fusion Capability, Australian Gangs Intelligence Coordination Centre and the ACC Board approved Eligo 2 National Task Force;
- information and intelligence gathering capability to assist CACT investigations; and
- capturing and reporting intelligence derived from the activities of the CACT to better understand the environment.

The ACC performs a crucial role in ensuring a proactive approach by helping to generate and prioritise organised crime targets for proceeds of crime action. Subject to legislative requirements, the ACC provides information gathering assistance to CACT investigations, including the use of coercive powers. The ACC also deploys intelligence resources to provide strategic advice on illicit money flows impacting on Australia.

The AFP as lead agency can provide overall findings in relation to the CACT, including the current status of ACC referrals to the task force.

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**CHAIR:** I suppose also the issue with someone coming from overseas, where you are talking about the proceeds of crime, is that the ability to establish unexplained wealth in some countries is different to what it is here in Australia.

**Mr Dawson:** It certainly is.

**CHAIR:** And when you seize a casino chip, you simply take it back to the casino and cash it in? I know it is a silly question! If you seize cash, that goes into consolidated revenue. So, if you seize the chip—what? Someone goes down to the casino—what is the actual process?

**Mr Dawson:** In terms of the value for that, I am uncertain, personally, of any proceeds of crime forfeiture that has resulted in the respective body actually cashing in the casino chips. It is an interesting question, which I am happy to take on notice.

#### **Australian Crime Commission**

The Australian Financial Security Authority (ASFA), in its official trustee capacity, has obligations under the Proceeds of Crime Act regarding the restraint, seizure and sale of assets, for the benefit of the Commonwealth, when those assets were purchased with the proceeds of criminal activities (including casino chips). ASFA as lead agency can provide overall findings in relation to processes in relation to the seizure and forfeiture of casino chips.