



SUBMISSION

Senate Legal and Constitutional Affairs Legislation Committee Inquiry of the Crimes and Other Legislation Amendment (Omnibus No. 1) Bill 2026

INTRODUCTION

The Australian Criminal Intelligence Commission (ACIC) welcomes the opportunity to provide a submission to the Senate Legal and Constitutional Affairs Legislation Committee Inquiry of the *Crimes and Other Legislation Amendment (Omnibus No. 1) Bill 2026* (the Bill).

The ACIC's purpose is to protect Australia from serious criminal threats by collecting, assessing and disseminating criminal intelligence and national policing information. The agency's insights into serious and organised crime support whole-of government decision-making across operational, policy, regulatory and legislative environments.

In fulfilling this role, the ACIC:

- provides unique, actionable and insightful criminal intelligence to partners and advice to government on serious and organised crime – including where it has a transnational dimension – through the collection and analysis of information and data on complex offending patterns, criminal business models, and criminal groups, networks and individuals across multiple crime vectors
- undertakes investigations and operations for purposes including identifying vulnerabilities in particular networks and systems, and collecting and disseminating intelligence relevant to serious and organised crime to facilitate enforcement, prevention, disruption and regulation activities
- provides national policing information systems and services to law enforcement and intelligence partners to keep them – and the Australian community – safe
- delivers background checking services to support employment or entitlement decisions and to maintain community safety.

ACIC OPERATIONALISATION OF SLAID ACT POWERS

The *Surveillance Legislation Amendment (Identify and Disrupt) Act 2021* (SLAID Act) introduced 3 new powers for the ACIC (and Australian Federal Police) to identify and disrupt serious online criminal activity:

- **Data disruption warrants** allow the disruption of data through modification and deletion of data to frustrate the commission of serious offences, such as the distribution of child abuse material.
- **Network activity warrants** allow the collection of intelligence on serious criminal activity carried out by criminal networks operating online.
- **Account takeover warrants** allow the control of a person's online account to gather evidence about criminal activity to further a criminal investigation.

Since the SLAID Act powers commenced in September 2021, the ACIC has taken an incremental approach to implementation, commencing with network activity warrants supported by robust internal policies, training and assurance arrangements. Over this period, the ACIC has applied for and been issued network activity warrants in support of its function to collect, correlate, analyse and disseminate criminal intelligence, while the ACIC has not applied for, and has therefore not used, a data disruption warrant or account takeover warrant. This reflects both the technical complexity and capability development required to operationalise the full suite of powers, and the agency's commitment to proportionate use.

Network activity and account takeover warrants remain necessary and proportionate tools in assisting the ACIC to address the threat posed by serious and organised crime, particularly that which is underpinned by highly secure, anonymised communications technologies. Changes to data disruption warrants for the ACIC, as contemplated by the Bill, are discussed below.

DATA DISRUPTION WARRANTS

The ACIC notes the amendments of the Bill, including the removal of the ACIC's ability to obtain data disruption warrants. This amendment is consistent with the [Government Response](#) to the *Independent Review of the Australian Criminal Intelligence Commission and associated Commonwealth law enforcement arrangements*, which recommended the ACIC be redefined as a dedicated criminal intelligence agency responsible for the collection, analysis and dissemination of intelligence relating to serious and organised crime. Further, this amendment also aligns with the [Government Response](#) to the *Independent National Security Legislation Monitor: Review of the SLAID Act*.

Data disruption warrants are inherently operational and disruptive in nature, and are therefore not aligned with ACIC's intelligence mandate. Consistent with the Government's position, disruption activities appropriately remain the responsibility of law enforcement agencies.

The [ACIC Bill 2026](#), introduced on 25 March 2026, contemplates a modern legislative framework for the agency, including powers with appropriate thresholds to support its intelligence functions. Should it pass, the ACIC Bill will formalise the transition of the ACIC from an agency, which was historically more aligned as law enforcement, to an intelligence agency. In this context, the ACIC does not require access to data disruption warrants to effectively fulfil its statutory role.

CONCLUSION

The ACIC considers the amendments removing its access to data disruption warrants to be appropriate and consistent with the agency's future intelligence mandate, as per the ACIC Bill. The amendments align with the Government's response to the ACIC Review and reinforce the clear delineation between intelligence functions and law enforcement disruption activities. The ACIC therefore supports the relevant provisions of the Bill while broader electronic surveillance reforms are underway.