



PARLIAMENT OF AUSTRALIA

Parliamentary Joint Committee on Law Enforcement

Law Enforcement capabilities in relation to child exploitation

Public Hearing – 10 December 2021

Question on Notice

AFP

1 QUESTION 1. Committee Hansard, p. 38

CHAIR: In their evidence VicPol outlined that they have to partner with the AFP for their control operations power, because they want to access some of those powers, but that sometimes the AFP can either have competing priorities for resources or potentially not want to take on a role within a certain investigation for whatever reason. Do you think there is an ability or a piece of work to, perhaps, streamline that or give your state jurisdictions access to some Commonwealth powers that don't involve as much of a resource intensive partnership with the AFP—for you to do your own investigations?

Ms Gale: That's a really good question, Chair. Again, what I would say, in relation to the Commonwealth controlled operations, is that we treat those powers very seriously and so they are utilised for the more serious of these particular crimes. We, through the Joint Anti Child Exploitation Teams, do partner with—and they are colocated with our state and territory law enforcement counterparts. Without knowing specifically what Victoria Police are referencing, noting the nature of whatever the offence is that they're referencing, for the most part we would typically partner with them in relation to undertaking a controlled operation. I would have to, if that's okay, take that on notice to understand what it is they're referencing in terms of the nature of what offences they are talking about. Noting that often it involves international and multiple jurisdictions, which very much sits within the mandate and remit of the Australian Federal Police, as opposed to the state and territory counterparts. If that's okay I will take that on notice to understand what they are referencing.

CHAIR: If you wouldn't mind taking it on notice and having a quick look at their submission that would be great.

AFP Response

The AFP works in close partnership with state and territory law enforcement agencies to identify and disrupt crime. Where appropriate, this can include the use of Commonwealth Controlled Operations (CCOs). All state and territory police may seek access to the CCO framework, and do so through our extensive collaborative arrangements. In order to apply for a CCO, states and territories must appoint an AFP assigned Principal Law Enforcement Officer to ensure compliance with the CCO framework, including reporting requirements to the Commonwealth Ombudsman.

The AFP continually works to streamline procedures where possible to maximise operational impact. This includes reviewing how the AFP supports joint taskforce arrangements and expanding these where required. While ultimately a matter for Government, rather than seeking reforms to the CCO framework, the AFP will continue work with its State and Territory partners in this regard.