

Chapter 1

Introduction

The committee's duty to examine reports

1.1 The Parliamentary Joint Committee on Law Enforcement (the committee) has a statutory duty to examine the annual reports of the Australian Crime Commission (ACC) and the Australian Federal Police (AFP) under the *Parliamentary Joint Committee on Law Enforcement Act 2010* (the Act).

1.2 The committee has had a long-standing responsibility to examine the annual report of the Australian Crime Commission and its predecessor, the National Crime Authority (NCA).¹ This is the committee's second opportunity to examine an annual report of the AFP since the widening of the committee's jurisdiction in 2010.

1.3 Subsection 7(1) of the Act lists the following committee functions:

- (a) to monitor and to review the performance by the ACC of its functions;
- (b) to report to both Houses of the Parliament, with such comments as it thinks fit, upon any matter appertaining to the ACC or connected with the performance of its functions to which, in the opinion of the Committee, the attention of the Parliament should be directed;
- (c) to examine each annual report on the ACC and report to the Parliament on any matter appearing in, or arising out of, any such annual report;
- (d) to monitor and to review the performance by the AFP of its functions;
- (e) to report to both Houses of the Parliament, with such comments as it thinks fit, upon any matter appertaining to the AFP or connected with the performance of its functions to which, in the opinion of the Committee, the attention of the Parliament should be directed;
- (f) to examine each annual report on the AFP and report to the Parliament on any matter appearing in, or arising out of, any such annual report;
- (g) to examine trends and changes in criminal activities, practices and methods and report to both Houses of the Parliament any change which the Committee thinks desirable to the functions, structure, powers and procedures of the ACC or the AFP;
- (h) to inquire into any question in connection with its functions which is referred to it by either House of the Parliament, and to report to that House upon that question.²

1 The committee was previously called the Parliamentary Joint Committee on the Australian Crime Commission, and before that, the Parliamentary Joint Committee on the National Crime Authority.

2 *Parliamentary Joint Committee on Law Enforcement Act 2010*, ss. 7(1).

1.4 The committee's responsibility to conduct this examination is therefore established under paragraphs 7(1)(c) and 7(1)(f).

Reports under consideration

1.5 The ACC's Annual Report 2010–11 (the ACC report) was presented to the then Minister for Home Affairs, the Hon Brendan O'Connor MP, on 4 October 2011 (received 5 October 2011). It was tabled in the House of Representatives on 13 October 2011 and in the Senate on 1 November 2011.

1.6 For the 2010–11 year, the Board of the ACC, through the Chair, Mr Tony Negus, Commissioner of the AFP, issued a separate annual report detailing the operations of the ACC. The committee chose to consider the Chair's report together with the ACC's main annual report.

1.7 The AFP's Annual Report 2010–11 (the AFP report) was presented to the then Minister for Home Affairs, the Hon Brendan O'Connor MP, on 22 September 2011. It was tabled in both the Senate and the House of Representatives on 31 October 2011.

Examination of the reports

1.8 In examining the reports, the committee held separate public hearings for each agency at Parliament House, Canberra on 2 March 2012. The witnesses who appeared before the committee are listed in Appendix 1.

Acknowledgments

1.9 The committee acknowledges the cooperation of Mr John Lawler APM, Chief Executive Officer of the ACC, Mr Tony Negus, Commissioner of the AFP, and officers of the ACC and AFP who assisted the committee in conducting this examination. The committee appreciates the ongoing high level of engagement with committee processes demonstrated by both agencies.

Note on references

1.10 References to the committee *Hansard* are to the proof *Hansard*: page numbers may vary between the proof and the official *Hansard*.