

Appendix 3

2010 Ministerial Direction for the AFP

Minister for Home Affairs, the Hon Brendan O'Connor MP

This Ministerial Direction is issued under subsection 37(2) of the *Australian Federal Police (AFP) Act 1979* and outlines the Government's priorities and expectations for the AFP. Under section 37(1) of the Act, the Commissioner has the general administration, and the control of the operations, of the AFP. It supersedes the Direction issued on 25 August 2008.

The AFP is the Australian Government's primary law enforcement agency. It is Australia's international law enforcement and policing representative and the chief source of advice to the Government on policing issues. AFP functions are set out in section 8 of the *AFP Act 1979*. Within that framework, the AFP pursues clearly defined outcomes agreed by the Government.

The Government is committed to the goal of the AFP being a law enforcement agency second to none. It is also committed to ensuring the AFP is adequately positioned and appropriately resourced to deal with a complex and shifting law enforcement environment.

My expectation of the AFP, where appropriate in partnership with other Commonwealth agencies, is to address the following key strategic priorities:

- Countering the threat of terrorism to the safety and security of Australians and Australian interests, inside and outside Australia, including through countering violent extremism;
- Supporting the implementation of the Commonwealth Organised Crime Strategic Framework and preventing, deterring, disrupting and investigating serious and organised criminal activities impacting on the interests of the Australian community;
- Safeguarding the economic interests of the nation from criminal activities such as serious fraud, money laundering, corruption, intellectual property crime and technology enabled crime;
- Contributing effectively to Australia's border management and security, particularly protecting Australia from people smuggling, including prevention, deterrence and disruption;
- Contributing effectively to the Government's international law enforcement interests including matters involving cooperation to combat transnational organised crime, responses to emergencies, law and order capacity building missions, and participation in internationally mandated peace operations;

- Countering the threat of cyber-crime including through achieving and maintaining a technological edge over criminals;
- Leading and managing the law enforcement and crime prevention aspects of aviation security;
- Ensuring that specific individuals, establishments and events, identified by the Australian Government as being at risk, are protected;
- Implementing the relevant recommendations of the Federal Audit of Police Capabilities *New Realities: National Policing in the 21st Century*, particularly achieving a revised program structure and consolidation of most of the core, lapsing and terminating funding into base funding; and enhancing core investigative capabilities;
- Contributing actively to broader government programs or initiatives where their successful implementation requires the engagement of law enforcement capabilities;
- Where possible identifying emerging criminal threats to the national interest and, for issues in which the AFP have operational expertise, advising on appropriate approaches, to counter such threats.

In performing its functions and prioritising its activities I expect the AFP to adhere to Government policies and to:

- Work cooperatively and collaboratively with Australian Government, State and Territory Government and international counterpart departments and agencies in developing, implementing and managing national security, law enforcement and crime prevention policies, and operational activities, including through information and intelligence sharing;
- Take account of the Government's long-standing opposition to the application of the death penalty, in performing its international liaison functions;
- Continue to develop, implement and manage advanced information and support systems that enable the sharing of criminal information and intelligence among law enforcement and intelligence agencies;
- Maintain and enhance a professional culture, based on AFP core values, that ensures the community's confidence is maintained at all times including through effective policing and the AFP workforce respecting and reflecting the diversity of the Australian community;
- Maintain a contemporary workforce strategy encompassing attraction and retention strategies in relation to Australians from all backgrounds;
- Build a relationship of trust with the indigenous community through the expansion of indigenous recruitment, enhancement of cultural sensitivity within

its workforce and improved engagement with Aboriginal and Torres Strait Islander people, including maintaining its Reconciliation Action Plan and Indigenous Employment Strategy;

- Manage AFP resources efficiently and effectively in accordance with the *Financial Management and Accountability Act 1997* and the Finance Minister's Orders;
- Maintain a high standard of corporate governance, including risk management, through legislative compliance and fostering a culture of continuous improvement;
- Protect privacy, occupational health and safety and workplace diversity.

Reporting

- The Government expects the AFP to report regularly to the Minister for Home Affairs on its performance. The Government also expects the AFP to report biannually on the nature and number of cases where information is provided to foreign law enforcement agencies in cases involving the death penalty. Consistent with the outcomes of the Attorney-General's 2009 review, the AFP should take account of the Governments' long standing opposition to the application of the death penalty;
- Be responsive to requests from the Government, my Office and the Department and keep me informed about significant events related to the AFP's activities through clear, concise and timely advice, particularly in relation to issues which may affect the AFP's capacity to achieve the priorities outlined above or functions under the *AFP Act 1979*;
- From July 1 2010, and consistent with the accountability expected as a result of the new AFP appropriations arrangements announced in the 2010/11 Budget, I expect the AFP to consult me when considering any significant reallocation of resources. Should the AFP be considering a reallocation of resources that may impact upon the implementation of the strategic priorities set out in this Ministerial Direction, or may impact upon the implementation of strategic government priorities, the AFP Commissioner or his nominee will consult me and other relevant Ministers prior to finalising these deliberations.

I also ask that you consult with my Department if for any reason you believe any of these priorities may not be achievable or if you believe the list of priorities should be amended.

The Hon Brendan O'Connor MP Minister for Home Affairs

1 July 2010