

Labor Senators' Additional Comments

1.1 The Proceeds of Crime Amendment (Proceeds and Other Matters) Bill 2017 (the bill) would make a number of technical amendments to the Proceeds of Crime Act 2002 (the Act) to strengthen the Commonwealth criminal asset confiscation scheme.

1.2 Labor Senators make the following additional comments in relation to the provisions of the bill.

The Commonwealth criminal asset confiscation scheme

1.3 Labor is committed to ensuring Australia maintains its strong and effective laws for the confiscation of proceeds of crime. Labor believes that the Commonwealth criminal assets confiscation regime plays an important role in crime prevention and ensuring justice for the community. Labor Senators agree with the Police Federation of Australia that criminal asset confiscation is ‘an integral piece of the crime fighting puzzle’.¹

Measures contained in the bill

1.4 Labor is broadly supportive of the measures contained in this bill.

1.5 Labor acknowledges the need for technical amendments to ensure that there are no loopholes or vulnerabilities in the Commonwealth criminal asset confiscation scheme that can be exploited by organised crime.

1.6 However, Labor Senators also note the concerns of the Law Council of Australia in its submission to this inquiry relating to the need for protections in our Commonwealth criminal asset confiscation scheme to ensure that injustice does not occur.² Labor believes that these concerns should be carefully considered and, where appropriate, addressed by the Government.

1.7 Labor believes that we must ensure there are no loopholes in the operation of our Commonwealth criminal asset confiscation scheme, including the protective measures in the Act which exist to ensure the effective operation of the scheme.

1.8 Labor supports the objects of this bill and will work with the Government to ensure that the scheme remains strong and effective.

Senator Louise Pratt
Deputy Chair

1 Police Federation of Australia, *Submission 4*, p. 1.

2 Law Council of Australia, *Submission 2*, p. 4.

