

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CRIME COMMISSION

Question No. AE16/051

Senator Collins asked the following question at the hearing on 9 February 2016:

1. What is the nature of the discussions and consultations currently occurring within the Federal Government concerning the Australian Institute of Criminology (AIC) and the Australian Crime Commission (ACC)?
2. Has there been any collaborating to explore the risks and benefits of such a merger?
3. What are the results?
4. Has there been any consultation with criminologists outside of the AIC, for example with the Aust NZ Society of Criminology, universities and government crime statistics agencies regarding the risks and benefits?
5. When is this merger anticipated to take effect?
6. Is there a timeline for implementation?
7. Has a committee been established to oversee the merge?
8. Before the decision was made to merge the two organisations were both the AIC and the ACC consulted?
9. What was their response?
10. Did they raise any concerns?
11. Were their concerns taken into consideration?
12. Has there been any consultation with existing employees within both the AIC and the ACC?
13. Have existing employees been provided early advice and assistance?
14. What measures have been taken to avert or mitigate any adverse effect of the merger on employees?
15. How many people currently working for the AIC?
16. How many people currently working for the ACC?
17. Can we expect to see a change in those numbers?
18. What are the financial implications of this merger?
19. What is the current budget of the AIC?
20. What is the current budget of the ACC?
21. Can we expect to see a change to these figures?
22. Will the Criminology Research Council survive the merger? Will its funding continue?
23. Will conference convening continue at all, and, if so, will conferences be convened on subjects other than organised crime and terrorism (the key focus of the ACC)?
24. Will the current publications series continue to be provided to the public free of charge?
25. Will the States and Territories still be able to seek fee-for-service responses to particular questions?
26. Will those seeking access to criminological data have to seek registration as users?
27. What will happen to the resources of the JV Barry library and where will it be housed? Will it be open to the public?
28. How the independence of the research produced by the AIC be maintained?
29. Who will be responsible for determining the research priorities of the AIC?
30. Will the current contract for secretarial services provided by the AIC to the Aust & NZ Society of Criminology be honored?

The answer to the honourable senator's question is as follows:

- 1. What is the nature of the discussions and consultations currently occurring within the Federal Government concerning the Australian Institute of Criminology (AIC) and the Australian Crime Commission (ACC)?**

The ACC is not in a position to answer this question as it is a matter for the Minister for Justice.

- 2. Has there been any collaborating to explore the risks and benefits of such a merger?**
- 3. What are the results?**

The AIC and ACC have been working closely since July 2015 when the ACC CEO was appointed as the interim Director of the AIC. On 8 October 2015, the staff of the AIC were transferred to the ACC under a machinery of government process. The majority of staff (those required to fulfil the functions of the AIC) were then seconded back to the AIC.

On 11 December 2015, Canberra based staff of the ACC and AIC were relocated to a new head office building at 4 National Circuit, Barton.

During the course of the last eight months there have been two key planning sessions. The first session in November 2015 brought together staff from the AIC and ACC for a two-day residential planning event to explore opportunities for joint work. The second session in December 2015 brought together staff of ACC, AIC and CrimTrac for a two day planning event to explore strategic directions for a merged entity.

These planning sessions, along with the co-location of the two agencies are beginning to generate benefits. This has included AIC staff working on an ACC projects associated with public sector corruption and an AIC member of staff temporarily seconded to the ACC's Illicit Drugs Data team. Planning has also commenced for a potential merger of the AIC's Drug Use Monitoring team with the ACC's Illicit Drugs Data team to form a combined Illicit Drug Data Centre.

The AIC is also benefiting from the ACC's national footprint by being able to offer staff positions in State offices as part of its current recruitment process.

- 4. Has there been any consultation with criminologists outside of the AIC, for example with the Aust NZ Society of Criminology, universities and government crime statistics agencies regarding the risks and benefits?**

Members of the ACC Executive have met with Professor Rick Sarre, President of the Australian and New Zealand Society of Criminology (ANZSOC). Professor Sarre also participated in the two day planning event in November 2015. The ACC CEO also made a keynote presentation to the ANZSOC Conference in Adelaide in November 2015. Letters raising concerns about the merger were received from both ANZSOC and the Criminology Research Advisory Council. These concerns have been addressed directly with each party.

5. When is this merger anticipated to take effect?

Completion of the merger requires legislative change that is subject to Parliamentary process. In the interim, as noted above, AIC staff have been transferred into the ACC and the Canberra based staff of the two agencies have been co-located into a single building.

6. Is there a timeline for implementation?

Completion of the merger (legislative change) is subject to Parliamentary consideration.

7. Has a committee been established to oversee the merge?

In November 2014, the ACC formed a transition team to oversee the merger processes associated with the AIC. This team has now extended its remit to address the merger with CrimTrac but matters associated with the AIC continue to form an important part of this team's work.

8. Before the decision was made to merge the two organisations were both the AIC and the ACC consulted?

Both the ACC and AIC were consulted in connection with the merger from November 2014. During the first half of 2015 this involved meetings with the ACC CEO and the AIC Director with representatives of the Attorney-General's Department. The ACC's transition team also met regularly with AIC representatives during 2015. In addition, both agencies held a number of staff meetings to address concerns raised by staff. Regular newsletters were also issued to staff to inform them of developments associated with the merger.

9. What was their response?

10. Did they raise any concerns?

11. Were their concerns taken into consideration?

Considerations raised by staff have been taken into account during the merger implementation process.

12. Has there been any consultation with existing employees within both the AIC and the ACC?

Yes. Extensive consultation was undertaken with the employees of both agencies.

13. Have existing employees been provided early advice and assistance?

Advice and assistance was provided to staff throughout 2015 as part of the merger process.

14. What measures have been taken to avert or mitigate any adverse effect of the merger on employees?

Risks have been managed through the project management of the process by the transition team.

15. How many people currently working for the AIC?

The AIC's current headcount is 39 staff (ASL of 37.8) against an original budget for 2015–16 of 50 staff (ASL of 47.1).

16. How many people currently working for the ACC?

600 employees (excluding secondees)

675 (including secondees)

17. Can we expect to see a change in those numbers?

The AIC is currently recruiting at the APS3, APS4, APS5, APS6 and EL1 levels to fill current vacancies to address the shortfall in staffing numbers. There is a potential for a small change in staffing numbers as the majority of these positions are filled by either current non-ongoing employees or existing staff on higher duties.

18. What are the financial implications of this merger?

The merger between the ACC and AIC was not intended to be a cost saving measure, but rather a means of improving the national criminal intelligence capabilities.

19. What is the current budget of the AIC?

The AIC's Commonwealth appropriation for 2015–16 is \$5.2m. The AIC also receive income from research services, conference fees, royalties and grant income from states and territories. Combining all sources, the AIC's budget for 2015–16 is \$8.09m

20. What is the current budget of the ACC?

(based on MYEFO figures as at 31 December 2015)

The ACC receives \$86.9m appropriation in 2015–16. The ACC also receives \$19.6m other fee for services revenue, including:

- \$10.5m successful bids from Proceeds of Crime Accounts
- \$4.4m from Commonwealth agencies, and
- \$2.6m from Inter-Government Agreements.

Of the total budgeted \$106.5m revenue, \$2.5m is designated for capital investments.

21. Can we expect to see a change to these figures?

All known changes in future year funding have been incorporated in the published forward estimates, which will be updated if there are any new government decisions in granting additional funding and /or imposing saving measures.

22. Will the Criminology Research Council survive the merger? Will its funding continue?

The government has proposed that a statutory Criminology Research Advisory Council will cease to exist once the AIC is abolished. Instead, it will exist on a voluntary basis and will continue to provide advice to the ACC CEO on research priorities. Ultimately however, the setting of research priorities will be a matter for the Board of the new merged agency.

At a meeting of the Criminology Research Advisory Council in November 2015, seven of the eight states and territories (Tasmania was not present and has yet to confirm whether it will continue to participate) agreed to continue to participate in a voluntary Council, subject to annual review by members. They also agreed to continue to fund the Criminology Research Grants at the same level as their current contributions.

23. Will conference convening continue at all, and, if so, will conferences be convened on subjects other than organised crime and terrorism (the key focus of the ACC)?

Conferences will continue subject to identified need. These are expected to extend beyond organised crime and terrorism. The AIC is currently in negotiation with the Queensland Police Service over the possibility of hosting the 3rd Crime Prevention and Communities conference in Brisbane in late 2016.

24. Will the current publications series continue to be provided to the public free of charge?

Yes. Publications will continue to be provided free of charge online.

25. Will the States and Territories still be able to seek fee-for-service responses to particular questions?

Yes. Fee-for-service work will continue to be an important aspect of the new agency's research centre's work and this will be available to both Commonwealth and State and Territory agencies.

26. Will those seeking access to criminological data have to seek registration as users?

There are currently no plans to require those seeking access to criminological data to be registered as users.

**27. What will happen to the resources of the JV Barry library and where will it be housed?
Will it be open to the public?**

The JV Barry library has been relocated to offices at 4 National Circuit as part of the merger. It will continue to be open to members of the public as it has in the past on an appointment basis. Prior to the co-location, the library's folio collection was digitised, thereby making a significant portion of the collection available to users online through the library's website.

28. How the independence of the research produced by the AIC be maintained?

Independence will be maintained by:

- ensuring the AIC has a wide remit that includes research on crime and justice issues of national importance
- employing a criminologist to head the new centre
- continuing to undertake fee for service work for States and Territories
- continuing to take advice from a non-statutory Criminology Research Advisory Council with a widened membership to include law enforcement and a representative of ANZSOC
- ensuring that all research is subject to approval and oversight from an independent Human Research Ethics Committee.

29. Who will be responsible for determining the research priorities of the AIC?

The Board of the new merged agency will be responsible for determining the AIC's research priorities and will take advice from a non-statutory Criminology Research Advisory Council.

30. Will the current contract for secretarial services provided by the AIC to the Aust & NZ Society of Criminology be honoured?

The AIC has a contract to provide secretarial services to ANZSOC until November 2016 and this contract will be honoured.