

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
AUSTRALIAN CRIME COMMISSION  
CRIMTRAC

**Question No. AE16/052**

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

The Government has announced that CrimTrac will be folded into the Australian Crime Commission;

1. When is this merger anticipated to take effect?
2. Is there a timeline for implementation?
3. What are the details of the transition?
4. When will the details of the transition be finalised?
5. Has a committee been established to oversee the merge?
6. How many people working at CrimTrac before the merger?
7. How many people working for CrimTrac have retained their jobs under the merger?
8. How many people previously working for CrimTrac did not survive the merger?
9. Were voluntary redundancy offered?
10. How many staff took this option?
11. Has there been any consultation with existing employees within both CrimTrac and the ACC?
12. Have staff in both organisations been kept informed on what is happening?
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. Will the merger hinder current projects for either the ACC or CrimTrac?
16. Has there been any collaboration to explore the risks and benefits of such a merger?
17. What are the results?
18. What were the recommendations?
19. Who made these recommendations?
20. Were industry professionals consulted on this matter?
21. What are the financial implications of this merger?
22. What is the budget of CrimTrac before and after the merger?
23. What safeguards and oversights is the ACC subject to?
24. What safeguards and oversights is CrimTrac subject to?
25. How many agencies does CrimTrac share information with?
26. Post-merger would CrimTrac be subject to the same safeguards and oversights as the ACC?
27. CrimTrac's primary responsibility is to develop and maintain national information-sharing services between state, territory and federal law enforcement agencies. Will CrimTrac's information-sharing capabilities be affected by this merger?
28. Will CrimTrac be exempt from the privacy restrictions imposed on the ACC?

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

**1. When is this merger anticipated to take effect?**

Subject to the passage of relevant legislation, it is anticipated the merger will take effect from 1 July 2016.

## **2. Is there a timeline for implementation?**

The merge of the two agencies by 1 July 2016 is currently on track. Both the ACC and CrimTrac will remain separate agencies until the passing of relevant legislation by the Parliament. Planning for a merged agency is underway to ensure the new agency operates effectively from day one, and delivers benefits to law enforcement and other partners.

## **3. What are the details of the transition?**

The leadership teams of both agencies are working closely together to plan the future and the objectives of the new agency. A dedicated transition team consisting of staff from both agencies has been established to coordinate the activities involved in merging the two agencies. Planning for a merged agency is underway to ensure the new agency operates effectively from 1 July 2016 and delivers benefits to law enforcement and other partners from commencement. While legislation is necessary to formalise a merger, efforts to achieve closer collaboration will continue in its absence. The respective Boards of the ACC and CrimTrac are being consulted on priorities for a future single agency.

The primary objectives of the proposal to merge CrimTrac with the ACC are to:

- improve national intelligence and information capability for law enforcement, non-law enforcement and national security partners
- potentially deliver efficiencies for the ACC and CrimTrac through a reduction in operating and capital duplication
- deliver productivity and value for money for law enforcement agencies through enhanced organisational productivity, and
- enhance national productivity in particular by reducing duplication in collecting and collating information.

## **4. When will the details of the transition be finalised?**

Transition details will be finalised once the relevant legislation has been passed by the Parliament.

## **5. Has a committee been established to oversee the merge?**

The ACC CEO and CrimTrac CEO are jointly accountable to the Minister for Justice as well as the ACC and CrimTrac Boards for delivering on the proposed merger. A Steering Committee (ACC CEO, CrimTrac CEO, and an AGD Deputy Secretary) has been established to provide strategic oversight and direction for transition considerations. A dedicated transition team, consisting of staff from both the ACC and CrimTrac has been established to coordinate the activities involved in merging the two agencies along with managing any risk to business continuity.

## **6. How many people working at CrimTrac before the merger?**

The merger cannot take effect until the passing of the relevant legislation through the Parliament. As at 1 March 2016, CrimTrac had 221 staff.

## **7. How many people working for CrimTrac have retained their jobs under the merger?**

The merger is not a cost cutting measure, and there is no intent to reduce staff numbers.

## **8. How many people previously working for CrimTrac did not survive the merger?**

The merger cannot take effect until the relevant legislation has passed through the Parliament. There is no intent to reduce staff numbers.

**9. Were voluntary redundancy offered?**

No.

**10. How many staff took this option?**

Voluntary redundancies have not been offered as a result of the proposed merger.

**11. Has there been any consultation with existing employees within both CrimTrac and the ACC?**

Staff have been, and will be kept informed of transition arrangements through a variety of channels including:

- all staff “Transition Talk” emails
- all staff meetings
- a dedicated Transition Program intranet page within each agency
- “Transition Talk” lunch time consultation sessions
- information sessions
- direct consultation with the Transition Team, and
- tailored updates/information for staff on specific matters/topics.

Staff can also engage with their managers who have been informed of arrangements through the executive leadership teams at both agencies.

**12. Have staff in both organisations been kept informed on what is happening?**

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- all staff “Transition Talk” emails
- all staff meetings
- a dedicated Transition Program intranet page within each agency
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Staff can also engage with their managers who have been informed of arrangements through the executive leadership teams at both agencies.

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

Consistent with APS Values, APS Employment Principles and Machinery of Government guidelines, employees will be consulted on changes, particularly as they pertain to individual roles or functions. The executive leadership of both agencies are committed to ensuring staff are consulted, provided with transparent and helpful information, and given opportunities to provide feedback. Both agencies offer an Employee Assistance Program (EAP) providing confidential and effective solution-focused counselling to employees.

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

The executive of both agencies are committed to ensuring the wellbeing of all staff throughout the transition period and into the new agency.

CrimTrac and the ACC have established a joint, dedicated team to coordinate and manage all change management aspects of the transition to ensure that any changes do not adversely impact on employees.

**15. Will the merger hinder current projects for either the ACC or CrimTrac?**

No. It has been agreed by the respective boards that agreed programs of work and existing services will not be impacted as a result of the proposed merge.

**16. Has there been any collaboration to explore the risks and benefits of such a merger?**

Yes. In consultation with ACC, CrimTrac and state and territory jurisdictions, Ernst & Young facilitated the development of a second pass business case that articulated the risks and benefits of the merger.

**17. What are the results?**

The second pass business case demonstrated the benefits a merger between the ACC and CrimTrac would have for the law enforcement community. On 5 November 2015, the Law Crime and Community Safety Council endorsed the proposal to merge the two agencies.

**18. What were the recommendations?**

The business case made two recommendations, either the ACC and CrimTrac enhance existing collaboration arrangements or they merge.

**19. Who made these recommendations?**

Ernst & Young were engaged to facilitate the development of the second pass business case.

**20. Were industry professionals consulted on this matter?**

Ernst & Young were engaged to facilitate the development of the second pass business case.

**21. What are the financial implications of this merger?**

The implementation costs for a full merger of the two agencies has been estimated at \$4.4 million.

**22. What is the budget of CrimTrac before and after the merger?**

The approved budget for CrimTrac, through the National Policing Information System and Services Special Account, in 2015–2016 is \$73.121 million dollars. Based on the forward estimates included in the 2015–16 Portfolio Budget Statements the budget expenditure through the National Policing Information System and Services Special Account in 2016–17 is \$73.699m.

**23. What safeguards and oversight is the ACC subject to?**

The Australian Crime Commission is governed by the *Australian Crime Commission Act 2002*. The Crime Commission's national role and functions are also underpinned by supporting legislation in each state and territory.

As a Commonwealth statutory authority, the Crime Commission has responsibilities under the *Public Service Act 1999* and the *Public Governance, Performance and Accountability Act 2013*, and is subject to the jurisdiction of the Australian Commission for Law Enforcement Integrity. The Australian Crime Commission is accountable to a range of external bodies such as the Commonwealth Ombudsman, the Australian National Audit Office and the Australian Public Service Commission.

**24. What safeguards and oversight is CrimTrac subject to?**

Under the CrimTrac IGA, CrimTrac is accountable to the Law, Crime Community Safety Council and to the CrimTrac Board of Management.

In addition, CrimTrac has responsibilities under the *Public Service Act 1999* and the *Public Governance, Performance and Accountability Act 2013*, and is subject the jurisdiction of the Australian Commission for Law Enforcement Integrity.

CrimTrac is accountable to a range of external bodies such as the Commonwealth Ombudsman, the Australian National Audit Office, the Australian Public Service Commission and the Office of the Australian Information Commissioner.

**25. How many agencies does CrimTrac share information with?**

The number of agencies CrimTrac lawfully shares national policing information with continues to grow. Currently the number is in excess of 200 public and private agencies.

**26. Post-merger would CrimTrac be subject to the same safeguards and oversights as the ACC?**

Once the relevant legislation has passed the Parliament, the merged agency will be subject to the same safeguards and oversights as the ACC.

**27. CrimTrac's primary responsibility is to develop and maintain national information-sharing services between state, territory and federal law enforcement agencies. Will CrimTrac's information-sharing capabilities be affected by this merger?**

Once the relevant legislation has been passed by the Parliament, the merged agency will continue to provide essential national policing information systems to police, as CrimTrac currently does.

**28. Will CrimTrac be exempt from the privacy restrictions imposed on the ACC?**

The Parliament will determine the privacy restrictions or exemptions placed upon the merged agency.