

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 3

Program: Other Agency

Question No. BE15/064

Senator Wright asked the following question at the hearing on 27 and 28 May 2015:

On 15 April the Minister for Justice noted that \$2.3m had been added to the Confiscated Assets Account, and that the account would be in the order of \$112m by the 2017-18 financial year.

1. What is the current status of the account?
2. How much has currently been dispersed from this account and for what programs?
3. What proportion of monies has been paid to reimburse legal aid commissions for proceeds of crime cases?
4. Can you advise what proportion of monies raised through the confiscated assets account will be reinvested in the courts, access to justice services or justice reinvestment initiatives?
 - a. Please separate this information into allocations to particular jurisdictions.
5. Are any confiscated assets redistributed to the states? For example, if the Qld Police Force was responsible for a \$2.3m seizure, would the benefit of those funds go to Qld?

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

1. As at 31 May 2015 the balance of the Confiscated Assets Account (CAA) was \$88,786,528.43

An amount of \$41,525,470.43 is currently held as uncommitted funds and \$47,261,058.00 is held as committed for specific purposes or programs.

2. For the 2014-15 financial year, as at 31 May 2015, \$33,343,525.17 has been paid out of the CAA as follows:

**PAYMENTS MADE IN THE 2014-15 FINANCIAL YEAR FROM CAA AS AT
31 MAY 2015**

<u>PAYMENT TYPE</u>	<u>AMOUNT PAID</u>	<u>TOTALS PAID</u>
<u>Programs - s.297(b)</u>		
National Crime Prevention Fund	\$2,500,000.00	
Safer Streets Programme Campbelltown	\$350,000.00	
Safer Streets Programme - Grants	\$18,173,000.00	
Admin - National Crime Prevention Fund	\$1,200,000.00	
Neighbourhood Watch Australasia	\$250,000.00	

NSW Police Participation Op POLARIS	\$2,900,000.00
ACC - Criminal Assets Confiscation Taskforce	\$1,626,487.00
AFP - Criminal Assets Confiscation Taskforce (Forensic accountants & litigators)	\$1,662,418.00
AFP - National Anti-Gangs Squad (WA)	\$3,817,700.00
	\$32,479,605.00
Official Trustee Costs - s.297(e)	\$29,587.32
CAA Annual Management Fee - s.297(f)	\$22,000.00
Court Order - s.297(fa)	\$5,000.00
Restitution Payment - s.297(g)	\$331,934.39
Examination Costs - s.297(ga)	\$87,308.33
Transcription Fees - s.297(ga)	\$114,710.86
Legal Aid Commission - s.297(h)	\$273,379.27
TOTAL PAYMENTS AS AT 31 MAY 2015	\$33,343,525.17

3. Please see question two.
4. Please see question two.
5. The Commonwealth and each State and Territory have their own proceeds of crime legislation.

Assets seized under State legislation would be dealt with in accordance with State law.

Section 297 of the Commonwealth Proceeds of Crime Act 2002 allows the Commonwealth to make payments to a State under an equitable sharing program, where, in the Minister's opinion, a State has made a significant contribution to the recovery of those proceeds by the Commonwealth.