

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

Group: 3

Program: Other Agency

Question No. BE15/097

Senator Collins asked the following written question from the 27 and 28 May 2015 hearing:

1. What is the operating budget of the Operation Polaris Taskforce?
2. Have there been changes in the operating budget of the Polaris Taskforce since its establishment in 2010?
3. Has there been an increase or decrease in the funding it has received from the Government?
4. How is this operating budget broken up between the agencies involved in the Taskforce?
5. How many member of the AFP are deployed as part of Operation Polaris?
6. What percentage of the personnel involved in Operation Polaris are members of the AFP?
7. What are the long term objectives of Operation Polaris?
8. What role does the AFP play in achieving those objectives?
9. Is there a strategic plan to ensure Operation Polaris achieves those objectives?
10. What evaluative measures have been put in place to monitor whether Operation Polaris is on track to achieve those objectives?
11. Is Operation Polaris on track to achieve its objectives?
12. What have been the key benefits of Operation Polaris:
(a) To the Australian economy?, (b) To reducing organised crime?, (c) To illicit drug availability in Australia?, (d) To increasing cooperation between agencies involved in Operation Polaris?, (e) To developing similar waterfront operations in other states?
13. How many arrests have been made by the Operation Polaris Taskforce?
14. Are there any arrest or conviction targets for the Operation Polaris Taskforce?
15. What methodology was used to calculate these targets?
16. Have these targets been met? If not, why not?
17. Have container check ratios increased under Operation Polaris?
18. In the last year, how many containers were screened or physically examined by the Operation Polaris taskforce?
19. Does this represent an increase in the number of container checks in comparison to before the formation of the Operation Polaris Taskforce?
20. Could the AFP provide details regarding what has been seized by the Operation Polaris Taskforce during/or as a result of their investigations since 2010, including; (a) What has been seized (eg: cash, illegal or controlled substances)? (b) What is the quantity of seizures? (c) The street value of any illegal or controlled substances? (d) When the seizure/s took place,? (e) If the seizure resulted in a conviction, and (f) What percentage of all law enforcement, organised crime seizures Operation Polaris' seizures represent?
21. Have the AFP received any advice regarding the future funding of Operation Polaris?
22. Have the AFP received any indication that Operation Polaris will have their funding renewed in the post 2015 period?
23. Have the AFP had any discussions with the Minister's office regarding the future of Operation Polaris?
24. Can the AFP provide details?
25. When does the AFP expect to receive confirmation that Operation Polaris will continue to be funded in the post 2015 period?

26. Do the AFP believe that the continuation of Operation Polaris is essential for fighting organised crime in NSW/Australia?
27. If Operation Polaris' funding is not renewed, what impact will this have on:
28. The Australian economy?
29. Rates of organised crime in NSW?
30. The availability of illicit drugs in Australia?
31. Container check ratios?
32. The number of AFP personnel involved in waterfront organised crime investigations?
33. Investigations already underway? Would they be funded to completion?

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

1. AFP's operating budget is \$2.7 million. The other Commonwealth agencies are self-funded. Funding for the New South Wales Police Force (NSWPF) is provided from the Commonwealth Confiscated Assets Account established under the *Proceeds of Crime Act 2002*.
2. Yes, the budget has varied year by year and has generally increased with wage rises and increased operating costs.
3. Funding for AFP within the Joint Waterfront Taskforce (JWT) Polaris is drawn from within the AFP's budget allocation.
4. Refer answer to question 1.
5. Twenty.
6. 45%.
7. The mission of the JWT Polaris is to undertake integrated covert and overt criminal investigations, detect vulnerabilities in the maritime sector, enforcement/compliance operations to prevent, deter and defeat serious and organised crime and criminal facilitation with a focus on the sea cargo terminals in NSW.
8. The AFP provides leadership and investigative capability. JWT Polaris also leverages the AFP International Network.
9. JWT Polaris and other multi-agency JWTs operate under the Australian Crime Commission's *National Security Impacts from Serious and Organised Crime Special Operation* determination. The NSW Joint Management Committee sets the strategic direction, objectives and priorities of JWT Polaris as per the Joint Agency Agreement.
10. Bi-monthly reporting to the Joint Management Group which reports into the Serious Organised Crime Coordination Committee, coupled with weekly reporting to the respective Organised Crime functions of the three key agencies in the JWT being AFP, NSWPF and Australian Customs and Border Protection Service (now the Australian Border Force – ABF). The NSWPF Commander also submits a monthly report to the NSWPF Deputy Commissioner, Field Operations and a quarterly report to the Commonwealth Attorney-General's Department (which administers funding from the Confiscated Assets Account established under the *Proceeds of Crime Act 2002*.)
11. Yes.

12.

- a. The estimated street value of illicit drugs seized by JWT Polaris since 2010 is more than \$717 million; the excise/duty that would have been evaded had JWT Polaris not detected and seized 109,140 kilograms of illicit tobacco and 40.5 million illicit cigarettes is more than \$89 million. In addition, JWT Polaris has seized or restrained more than \$10 million;
- b. Proactive disruption activities as well as the investigation and prosecution of those committing criminal offences in the maritime sector and the identification of corrupt trusted insiders in the public and private sectors who facilitate organised crime in the maritime environment. JWT Polaris has seized 31 firearms, 3 stun guns, four sticks of explosives and a significant amount of ammunition (in excess of 500 rounds) which may otherwise have been used by organised crime groups in the facilitation of criminal offences.
- c. Since 2010, JWT Polaris has seized the following illicit drugs:
 - Cannabis: 96 kilograms and 198 individual plants
 - Cocaine: 317 kilograms
 - PMMA: 110 litres
 - Methamphetamine: 244 kilograms
 - MDMA/MDA: 4 kilograms
 - Heroin: 5.3 kilograms
 - Pseudoephedrine/ephedrine: 79 kilograms
 - Ketamine: 1.1 kilograms
 - MDP2P: 14 kilograms
 - P2P: 5 kilograms
 - Performance enhancing drugs: 59 kilograms
 - Other precursor and cutting agents total: more than 11 tonnes
- d. Information, investigation methodologies and resource sharing between the agencies is integral to the success of JWT Polaris; and
- e. JWT Trident exists in Victoria.

13. Since the taskforce's inception in July 2010, there have been 101 arrests.

14. No. The objectives of Polaris are to undertake integrated covert and overt criminal investigations, detect vulnerabilities in the maritime sector and supply chain and enforcement/compliance operations to prevent, deter and defeat serious and organised crime and criminal facilitation with a focus on the sea cargo terminals in NSW. As such, JWT Polaris does not have arrest or conviction targets as they are a by-product of operations that are conducted.

15. See answer to question 14.

16. See answer to question 14.

17. No records are kept by JWT Polaris on the number of container checks conducted by the ABF. Container checks are not an objective of JWT Polaris.

18. See answer to question 17.

19. See answer to question 17.

20.

- a. Since 2010, JWT Polaris has seized or restrained more than \$10 million and seized illicit drugs, precursor chemicals, cutting agents, illicit tobacco, communications devices used in the facilitation of offences, documents and other items seized as evidence.
- b. Since 2010, JWT Polaris has seized 109,140 kilograms of illicit tobacco and 40.5 million cigarettes and the following illicit drugs:
 - Cannabis: 96 kilograms and 198 individual plants
 - Cocaine: 317 kilograms
 - PMMA: 110 litres
 - Methylamphetamine: 244 kilograms
 - MDMA/MDA: 4 kilograms
 - Heroin: 5.3 kilograms
 - Pseudoephedrine/ephedrine: 79 kilograms
 - Ketamine: 1.1 kilograms
 - MDP2P: 14 kilograms
 - P2P: 5 kilograms
 - Performance enhancing drugs: 59 kilograms
 - Other precursor and cutting agents total: more than 11 tonnes
- c. The estimated street value of illicit drugs seized by JWT Polaris since 2010 is more than \$717 million; the excise/duty that would have been evaded had JWT Polaris not detected and seized 109,140 kilograms of illicit tobacco and 40.5 million illicit cigarettes is more than \$89 million.
- d. Between 2010 and the present.
- e. Most seizures have resulted in a conviction, however numerous matters are still before the courts.
- f. JWT Polaris drug seizures represent approximately 2.2% of all AFP drug seizures (excluding ACT Policing). AFP cannot comment on a percentage of all law enforcement seizures as we do not hold those statistics.

21. Yes. Funding for NSWPF, as supplied from the Commonwealth Confiscated Assets Account, has been extended into 2015-2016. Funding for AFP is drawn from within the AFP's budget allocation.

22. See answer to question 21.

23. AFP supported the NSWPF application for funding.

24. See answer to question 23.

25. See answer to question 21.

26. Taskforces are one element of a multi-faceted law enforcement response to address the threat of organised crime in Australia. They are beneficial to the ongoing identification, disruption, deterrence and prosecution of organised crime groups and individuals operating in the community and the identification of vulnerabilities in the Australian border environment. A timely example of this is Operation Minium, a recent JWT Polaris investigation that saw the

arrest of twelve offenders, and identified a large transnational organised crime syndicate, involved in the wide scale smuggling of tobacco products into Australia, avoiding tens of millions of dollars in Customs duty.

27-30. AFP's operating budget is \$2.7 million. The other Commonwealth agencies are self-funded. Funding for the New South Wales Police Force (NSWPF) is provided from the Commonwealth Confiscated Assets Account established under the *Proceeds of Crime Act 2002*, and has been extended into 31 March 2016.

31. No records are kept by JWT Polaris on the number of container checks conducted by the ABF.

32. Whilst the AFP has a number of dedicated officers attached to JWT Polaris, the AFP adopts a flexible investigative model that allows additional resources to be directed to high priority matters as required.

33. Current investigations would be funded to completion.