

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 136

Senator Ludwig asked the following question at the hearing on 13 February 2007:

Regarding the Joint Banking and Finance Sector Investigations Team, for the years 2003-04, 2004-05, 2005-06 and 2006-07 (to date):

- a) How many investigations were been undertaken by the team?
- b) How many investigations resulted in charges, and how many charges resulted?
- c) How many charges resulted in successful prosecutions?
- d) Please provide a summary of convictions.
- e) How many matters were referred to state or territory police?
- f) How many matters were referred to the Australian Federal Police?
- g) What campaigns did it run?
- h) What was the cost of each campaign?
- i) What was the form of each campaign?

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

The Joint Banking and Financial Sector Investigation Team was launched in May 2004 and as a result information for the 2003 – 2004 financial year is not reflective of the full financial year.

- a) 2003 – 2004: 3 investigations;
2004 – 2005: 7 investigations;
2005 – 2006: 13 investigations; and
2006 – March 2007: 4 investigations.
- b) Two investigations resulted in five charges being laid. A number of investigations are ongoing.
- c) One investigation resulted in the successful prosecution of 2 offenders.
- d) The 2 offenders prosecuted as a result of JBFSIT investigations were convicted in relation to the following charges:
 - i. aiding and abetting unknown persons to commit an offence under section 400.4(1) of the Criminal Code contrary to section 400.7(1) of the Criminal Code, read with section 11.2(1) of that Code, by providing ATM (Debit cards) and other bank account details; and
 - ii. aiding and abetting unknown persons to commit an offence under section 400.4(1) of the Criminal Code contrary to section 400.7(1) of the Criminal Code, read with section 11.2(1) of that Code, namely that an unknown person or persons dealt with money by engaging in banking transactions relating to money, namely transactions amounting to a sum of \$50,305.32 which was, and an unknown person or persons believed it to be, proceeds of crime from the commission of a Commonwealth indictable offence, namely the unauthorised access to, or modification of restricted data held in a computer, contrary to section 478.1(1) of the Criminal Code, and the value of the

money at the time of dealing was \$50,000 or more, contrary to section 400.5(1) of the Code.

On each offence the respective offenders were sentenced to terms of imprisonment of not less than 6 months.

- e) 2003 – 2004: 4 referrals;
2004 – 2005: 48 referrals;
2005 – 2006: 93 referrals; and
2006 – 2007: 5 referrals.
- f) One matter was referred to the AFP resulting in the charging of 4 offenders in relation to more than 50 cyber crime and deception offences. This matter is currently before the court.
- g) The Joint Banking and Financial Sector Investigations Team (JBFSIT) has been involved in two campaigns in with partner agencies. One campaign related to the Australian Bankers Association led website www.protectfinancialid.org.au, a website designed to educate consumers on methods to protect their financial information online. The second campaign related to launching a number of posters again related to the education of Australian online consumers in how to protect their financial identity when accessing online transactions.
- h) The financial costs associated with each campaign were met by partner agencies such as the Australian Bankers Association. As such, a complete costing cannot be provided.
- i) The campaigns include media lunches, ongoing education through web based information, and the distribution of brochures and posters.