

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CRIME COMMISSION

Question No. 83

Senator Brandis asked the following question at the hearing on 12 February 2013:

In relation to prosecutions:

1. How many investigations into criminal activity has the Australian Crime Commission launched every year from 2007/08 to 2012/13?
2. How many prosecutions have resulted from investigations initiated solely by the Australian Crime Commission from 2007/08 to 2012/13?
3. How many disruptions to crime entities were made as a result of ACC intelligence gathering and investigations every year from 2007/08 to 12/13 including what value of illicit drugs, what value of cash taken off the streets and what value of proceeds of crime restrained?
4. How many criminal prosecutions came as either a direct or indirect result of *intelligence reports and briefs, operational analysis and tactical intelligence products* drafted by the ACC?
5. How many ACC staff have testified for criminal matters before the Supreme Court of any State/Territory every year from 2007/08 to 12/13?

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

1. The ACC defines investigations as an ACC project.

A large number of ACC projects run across financial years. Table 1.1 provides figures for both new projects initiated within the financial years and the total number of active ACC projects at the end of each financial year. (Note: to provide consistency across the reporting years, projects commenced only to produce strategic intelligence products have been excluded.)

Table 1.1

Year	Number. of new projects	Total number of active projects as at 30 Jun of reporting year (excl. 12/13)
2007–08	20	75
2008–09	7	68
2009–10	8	60
2010–11	37	60
2011–12	71	43
Jul to Dec 2012	26	62

2. As a national agency, the ACC’s operating model is to undertake all investigations and operations in partnership with other agencies.

Where the ACC’s work pertains to the early stages of an investigation, the ACC is reliant on the advice of partner agencies as to the initiation and progress of resulting prosecution action. In general, partner agencies initiate prosecutions, not the ACC.

Within that context, the number of prosecutions (of which the ACC is aware) that have resulted from ACC projects since 1 July 2007 are listed in Table 2.1 and Table 2.2 below.

Table 2.1: Based on year of commencement - charges being laid

Financial Year	Prosecutions Commenced
2007–08	22
2008–09	87
2009–10	70
2010–11	120
2011–12	78
2012–13 to 31 Dec 2012	47
Total	424

Table 2.2: Based on year of conclusion - judgement and sentencing where applicable

Financial Year	Prosecutions Finalised
2007-08	5
2008-09	20
2009-10	58
2010-11	45
2011-12	49
2012-13 to 31 Dec 2012	21
Total	198

3. The statistics in Table 3.1 have been updated from results reported in the ACC’s Annual Reports with the most recent data. ‘Indirect’ statistics indicate results achieved where the ACC can lay some claim to the outcome or assisted in the outcome, but not necessarily being involved throughout the end-to-end process in securing a result. Everything the ACC does is either with or for a partner. As a result, there are instances where the agency has provided assistance to a partner’s investigation through use of specialist capabilities, but have not been involved in the whole process. Quantitative indirect results are not ordinarily reported in ACC Annual Reports.

Table 3.1

Key Result Area	07-08	08-09	09-10	10-11	10-11	11-12	11-12	12-13	12-13
	12 months	12 months	12 months	12 months	12 months (Indirect)	12 months	12 months (Indirect)	6 months	6 months (Indirect)
No. of Disruptions	31	25	25	30	9	26	1	13	10
Cash seized (million)	NR	NR	\$13.77	\$5.50	\$0.25	\$5.51	\$0.16	\$6.10	\$0.50
ESV * drug precursor seized (million)	\$53.48 [^]	NR	NR	\$617.61	NIL	\$7.50	NIL	\$77.00	NIL
ESV * drugs seized (million)	\$60.11	\$4.77	\$76.73	\$141.22	\$730.03	\$70.75	\$63.26	\$188.17	\$2.86
Estimated restraints (million)	\$8.94	\$10.87	\$0.63	\$29.88	INCL.	\$103.58	INCL.	\$10.04	INCL.

* ESV = Estimated Street Value

[^] In 2007-08, drug precursors were a subset of the \$60.11m drugs total. In future years these figures were collated separately.

NR = Not recorded during these years

INCL.= Indirect results included in respective end of financial year totals. No indirect distinction available.

Where an indirect figure is given for a KRA, this is additional to the figure shown for the KRA of the same year.

4. Records of prosecution held by the ACC include information pertaining to the prosecution itself, and the project to which the prosecution relates. Information regarding the trigger for prosecution is not recorded, therefore this question is unable to be answered.
5. This information is not readily accessible, and would require an unreasonable diversion of resources to provide an appropriate answer.