

# Minister sharpens focus for AFP's future

Ministerial Direction; section 13(2) of the Australian Federal Police Act 1979

Section 13(2) of the Act allows the Minister, after obtaining and considering the advice of the Commissioner of the Australian Federal Police (AFP) and the Secretary to his Department, to give written directions to the Commissioner with respect to the general policy to be pursued in relation to the performance of AFP functions. This Direction supersedes the Direction issued by the then Minister for Justice and Consumer Affairs on 4 December 1991.

This Direction expresses in general terms the Government's desire as to the longer term development of the AFP, thereby providing broad policy guidance for the Commissioner in his corporate planning and management.

The AFP functions to which the Direction relates are contained within section 8 of the *Australian Federal Police Act 1979* as follows:

- a. the provision of police services in relation to:
  - (i) the laws of the Commonwealth;
  - (ii) property of the Commonwealth (including Commonwealth Places) and property of authorities of the Commonwealth; and
  - (iii) the safeguarding of Commonwealth interests;
- b. the provision of police services in relation to the Australian Capital Territory under arrangements with the Australian Capital Territory Government;
- c. the provision of police and regulatory services for an External Territory under arrangements with that External Territory;
- d. the provision of police services to the Jervis Bay Territory;
- e. the provision of witness protection services; and
- f. anything incidental or conducive to the performance of the foregoing functions.

Two major reviews, the Inquiry into Fraud on the Commonwealth (the Elliott Report) which was published in November 1993 and the Review of Commonwealth Law Enforcement Arrangements (the Review) which reported in February 1994, have focussed on a number of Commonwealth agencies including the AFP. The accepted recommendations of those reviews form the thrust of the AFP's strategic direction for the foreseeable future and the basis of this Direction.

## Commonwealth Law Enforcement Interests

The Review identified the Commonwealth's interests in law enforcement as follows:

- enforcing Commonwealth laws and protecting the integrity of Commonwealth Government programs;
- effectively contributing to international efforts to counteract and prevent criminal activity, including encouraging cooperation in law enforcement in the region and extensive involvement in and encouragement of the international network of mutual assistance and extradition relationships;
- jointly with the States and Territories protecting the integrity of national economic and social institutions and the environment, and ensuring that there is a national response where criminal activity impinges on national security and/or is of a transjurisdictional character and beyond the capacity of State law enforcement agencies to deal with effectively alone, or is such that a leadership role for the Commonwealth is desirable;
- promoting, jointly with States and Territories, efficient resource management to contain public expenditure of law enforcement in all jurisdictions while maximising effectiveness; and
- improving the safety of communities and individuals through the promotion of and support for the development of broadly common standards for law enforcement and crime prevention across all Australian jurisdictions.

## Role of the Australian Federal Police

The Government views the AFP as a prime instrument of federal law enforcement. Its role is to preserve the integrity of the Commonwealth criminal law and interests as they are threatened by criminal activity within Australia and beyond its shores. It should carry out this role in partnership with other law enforcement agencies, as appropriate.

It is recognised that no single agency operating in isolation can act effectively against the current criminal environment. There is broad understanding and acceptance of the need to fuse and focus the complementary array of enforcement, regulatory, compliance and confiscation powers and authorities which together represent the most powerful and effective alliance against major and organised crime. To this end the AFP will act in concert with other government organisations in providing technical support, training programs, information and assistance in particular investigations.

In matters of federal, national and international law enforcement, the AFP is recognised as the Government's chief source of professional advice on policing issues and as its international representative. Accordingly, the AFP will continue to build on cooperative relationships with other Commonwealth agencies which have law enforcement responsibilities, in particular the Commonwealth Law Enforcement Board and the National Crime Authority, and with State police agencies. It will produce a strategic intelligence product, service Government law enforcement commitments to the United Nations and, wherever possible, foster international liaison and mutual assistance in law enforcement matters.

Concurrent with its federal role, the AFP will continue to make policing services available to the government of the Australian Capital Territory, at Jervis Bay and to the administrators of Australia's external Territories.

#### Special Areas of Focus for the AFP

- Restructure the AFP to provide for specialties in:
  - Serious fraud. The AFP's investigative capacity will include specially qualified officers expert in a broad range of disciplines. Officers involved in serious fraud investigations should develop a close working relationship with a range of agencies and pursue major white collar crime cases for their inherent criminality beyond what specialist agencies can handle.
  - Fraud liaison. Greater emphasis will be placed upon determining what are the law enforcement needs of client agencies, delivering high quality services and developing closer working arrangements.
  - New forms of international crime. This will include matters such as computer-based crime and serious environmental crime and will vary over time.
  - Organised crime. The AFP will maintain its focus on investigating organised crime and will actively assist and complement the National Crime Authority's (NCA) strategic and coordination role in this field.
- Fraud intelligence. The AFP will maintain a criminal intelligence capability to collate data from all Commonwealth agencies and evaluate the extent, nature and costs of fraud against the Commonwealth and develop strategies to combat it.
- International strategic criminal assessments. The AFP will provide assessments on international criminal trends to the NCA and other agencies based on reporting from the AFP's overseas liaison officer network and other sources.
- A strategic alliance with the NCA. This will be achieved through the provision of AFP investigators and by the development by both agencies of appropriately integrated corporate support and technical services and a closer, more harmonious and strategically focussed relationship.

- Closer cooperative arrangements with agencies that administer and enforce laws. This will include the development of ongoing alliances involving a client focus and service orientation together with an understanding of respective roles engendered through regular liaison, and the provision of training and investigative skills either jointly or in liaison with the NCA and other relevant agencies.

#### Other Areas of Focus

The AFP will:

- continue to pursue a culture of continuous improvement in AFP performance;
- promote equity in the workplace and develop an organisation which more realistically reflects the composition of the Australian community;
- within the framework of the Commonwealth Law Enforcement Board, further develop its role as a prime law enforcement adviser to Government and as a representative in international law enforcement matters;
- attack the financial base of criminal activity;
- target major drug traffickers with a special emphasis on financiers and organisers;
- continue to apply the highest standards of professional integrity, ethical conduct and accountability for performance in all its activities;
- maintain and develop its criminal intelligence capability to support its own operations and to assist the "over the horizon" strategic assessment functions of the Office of Strategic Crime Assessments;
- maintain a level of investigative expertise that can be applied to any area of Commonwealth activity where a need emerges which is beyond the resources or legislative authority of other agencies to address alone;
- develop its role as the principal training provider for Commonwealth agency investigative staff, with AFP courses accepted as the quality standard for fraud investigators;
- provide professional general and community policing services in furtherance of the Commonwealth's interests; and
- endeavour to achieve the vision embodied in the 1993 "Australasian Policing Strategy" endorsed by the Australasian Police Ministers' Council.

Progress in implementing the requirements of this Direction will be monitored by the Commonwealth Law Enforcement Board and should be indicated in the AFP Corporate Plan and in such reports on the performance of the AFP's functions as the Minister, in accordance with section 13(6) of the AFP Act, may request from the Commissioner from time to time.

Duncan Kerr  
Minister for Justice  
23 December 1994