

Audit examines the changing face of policing

A renewed focus on serious and organised crime and the ongoing threat of terrorism has given the AFP an opportunity to redefine its operations to more accurately reflect national security priorities.

One of the key elements underpinning the AFP's decision to review its business priorities has been the findings of the Federal Audit of Police Capabilities (the Beale Review). The Review was conducted last year as part of an Australian Government commitment to developing a five-point plan for the AFP, and to examine the organisation's capabilities for policing and law enforcement now and into the future. Many of the issues identified in the Review had already been acknowledged by the AFP through an ongoing process of review and improvement to services, and the Review provided a framework for such changes to be effectively implemented.

The Beale Review concluded that the national interest in policing has changed – a

conclusion based on the fact that policing is now recognised as an essential element of national security. There is also far greater recognition of the need for cooperation among Commonwealth, State and Territory police agencies, particularly in providing an effective, collective response to terrorism and serious and organised crime. This was reinforced by Mr Beale, who recognised that a whole-of-government approach is essential in addressing the complexities of policing in today's rapidly changing world.

The Beale Review was established to examine the capabilities, operating arrangements and governance of the AFP, as well as AFP budgets and programs, aviation security, international deployments and law

enforcement interoperability across the Commonwealth. In all, the Review contained 110 findings and 40 recommendations on AFP activities and operations.

One key recommendation centres on funding arrangements for the AFP. The Review found that a new structure was needed to provide flexibility for the AFP to meet existing and emerging priorities. As such, in its response to the review the Government has agreed to important structural reforms to the budget. This will provide greater financial certainty to the organisation, enabling the AFP to adjust rapidly to changes in strategic policing objectives and to create operational efficiencies.

The Review also examined policing and security at Australia's 11 major airports,





noting the importance of aviation within a national security context. However, it found there had been difficulties in achieving a consistent approach to policing in this arena:

“Aviation security, and in particular the policing of Australia’s principal airports, has been a subject of Commonwealth and State controversy since 1970. Following the application of State criminal laws (as Commonwealth law) to airports in that year, the Commonwealth has made a number of attempts to extricate itself from the policing of airports, recognising a strong link between criminal threats to airports, the local criminal milieu and State police capabilities, while simultaneously acknowledging its responsibilities under international law for aviation security. It has never succeeded in passing responsibility completely and clearly to the states.

Over the years this has led to what is described as a hybrid model, with the Commonwealth providing the funding and Protective Service Officers while State police forces provide the bulk of the sworn police members.”

The Review concluded that transferring full responsibility for policing at airports to the Commonwealth would create more efficient staffing models and significantly reduce the

overall cost, while maintaining public expectations for consistently high standards and approaches to aviation security. It recommended the Commonwealth accepts responsibility for funding and staffing policing capabilities at Australia’s major airports, enabling a nationally coordinated approach. It also recommended that the Commonwealth negotiates with the States to put appropriate legislation and agreements in place to enable AFP members to effectively exercise their policing duties at Australian airports.

In addition to practical considerations, the Review also examined the way the AFP manages its operational areas. It recommended the AFP appoint a third Deputy Commissioner to enhance the AFP’s capabilities, and the position of Deputy Commissioner Close Operations Support has now been filled. In conjunction with this decision, AFP Commissioner Tony Negus has been working with the AFP’s peak advisory body, the Strategic Leaders Group (SLG) to revise and improve the AFP’s functional structure. This will enhance capabilities in areas such as serious and organised crime, in line with the Australian Government’s national security priorities.

The view of the SLG is that while the functional model has served the AFP well in recent years in responding to

community needs, Government priorities and emerging crime, the areas of responsibility for the Border and International and Economic and Special Operations portfolios have become increasingly intertwined. The SLG expressed the strong view that drugs, fraud, money laundering and other elements of organised crime should be looked at holistically rather than in separate AFP streams of activity.

As a result the AFP’s organisational structure has been changed. Two new portfolios, Serious and Organised Crime and Crime Operations, have been created to deal this crime type in a more holistic way, without compromising AFP investigations. The new structure also takes into account the introduction of the Australian Government’s Organised Crime Framework and the whole-of-government approach to dealing with organised crime as an issue of national security. The Review’s findings also reflect the AFP’s broader strategic view that combating organised crime will increasingly involve working with key partners through multi-agency and multi-jurisdictional task forces to investigate a broad range of offences.

“The focus of the SLG is on maximising the AFP’s operational performance and I am confident that these new arrangements will help the AFP to better respond



to the emerging criminal environment as well as providing improved support and advice to Government and our law enforcement partners," Commissioner Negus said.

The Review acknowledged the successful use of joint task forces involving the Commonwealth and State and Territory agencies to tackle serious crime and security issues. The ongoing development of an increasingly effective national infrastructure through CrimTrac, The Australian Transaction Reports and Analysis Centre and the Australian Crime Commission is one way law enforcement agencies are being supported through the provision of real-time information and intelligence.

But the Review says *"there is still a distance to go to achieve seamless interoperability of policing systems."*

The Review also suggests that further to commitments made by the Australian Government and recommendations made by the Clarke Inquiry and the Parliamentary Joint Committee on the Australian Crime Commission, it is essential that interoperable case management systems between Federal and State agencies be developed as soon as practicable. It also recommends the introduction of intelligence-sharing mechanisms across all Australian law enforcement agencies and the development

of national centres of excellence in forensic science.

The audit also acknowledged the AFP's ongoing role in providing an effective and flexible policing response to problems of instability in the Asia-Pacific region, and around the world. It also recognised the importance of the AFP's partnership with the Department of Defence in key peacekeeping operations. The future strategy for AFP international deployments will soon be reviewed as required by the terms of its budgetary approvals. The Beale Review recommended that this focus on capabilities in the context of Australia's foreign and development policy objectives and complementary Australian Defence Force capabilities, not just staffing numbers.

It said: *"Policing capabilities require the complementary combination of a range of inputs including sworn police members, expert civilian analysts and technicians, scientists, administrative support staff, and logistic, technical and scientific equipment, and capital facilities. An over-emphasis on sworn police numbers and their funding fails to recognise these complementaries."*

Minister for Home Affairs Brendan O'Connor said that the Australian Government placed the highest priority on supporting the AFP's activities,

and has increased funding to the AFP by \$111 million this year.

"As a result of this, the Government's commitment to strengthening the AFP, we have the most capable and the best equipped crime fighting organisation in the region," he said.

The Review recommended that the AFP Commissioner respond to Ministerial Direction by providing a Statement of Intent under s 37(6) of the *Australian Federal Police Act 1979*, which sets out how the AFP intends to give effect to the Minister's directions and the implications for the AFP's responsibilities.

It said: *"In time, both the Minister's direction and the Commissioner's statement of intent will be set in the context of the unfolding program of whole-of-government strategies to address our major national security and crime risks."*

"The AFP's commitment to fighting terrorism and serious and organised crime is stronger than ever," Commissioner Negus said.

"Our budget of more than \$1.3 billion and the implementation of the key recommendations made by the Beale Review will give the AFP the flexibility to meet the evolving challenges of policing."