

TO: Committee Secretary
Parliamentary Joint Committee on Law Enforcement

In response to your notification re making a submission to your current [Inquiry into the gathering and use of criminal intelligence](#), may I formally advise that I am not inclined to make a submission for such an inquiry in current circumstances.

In the past, over two and a half decades, as documented by parliamentary and public records, I have always been available to make submissions or give evidence, originally under the Parliamentary Joint Committee on the National Crime Authority and subsequently the Parliamentary Joint Committee on the Australian Crime Commission.

In more recent years, as is well recorded, I have made submissions and given evidence expressing concern over lobbying by what I have referred to as Canberra's "white shirt brigade" to downgrade the ACC to a mere criminal intelligence agency.

I have noted that since the Parliamentary Joint Committee has been reformed to cover both the ACC and Australian Federal Police as the Parliamentary Joint Committee on Law Enforcement, the new Committee has itself officially downgraded the ACC from within without any explanation to Parliament.

In its final report to Parliament in March 2010 on its review of the ACC's Annual Report 2008-09, the now-replaced PJC on the ACC, in accordance with a tradition of 25 years, referred to the Australian Crime Commission (ACC) as "Australia's criminal intelligence and investigation agency".

Since becoming the PJC for LE, the Committee in its August 2011 review of the ACC's Annual Report 2009-10, referred to the ACC simply as "Australia's criminal intelligence agency". Likewise, the Committee used the same terms with its May 2012 review of the ACC's Annual Report 2010-11.

What is disturbing for one who monitors the role and activities of authorities charged with dealing with organised crime, on state, national and international levels, is that your Committee has failed to abide by its own charter in endorsing such a downgrading of the ACC without reporting it to Parliament under Subsection 7(1) of the Parliamentary Joint Committee on Law Enforcement Act 2010. Or under terms that similarly applied under the previous PJC on the NCA and ACC.

Nor has it yet received attention from the federal Government nor its partner state Governments which agreed upon the terms for the transition from the NCA to the ACC on the basis that it would continue to carry out investigations, and not simply become a glorified version of the absorbed Australian Bureau of Criminal Intelligence.

Yours faithfully

Bob Bottom, OAM

Nelson Bay, NSW

RELEVANT REFERENCES:

FURTHER SUBMISSION

21 September, 2005

Review of the Australian Crime Commission Act 2002

SPECIAL SUBMISSION

27 October, 2008

Review of the role and priorities of the Australian Crime Commission

EVIDENCE

24 March, 2009 Canberra

Review of Australian Crime Commission Annual Report 2007-2008

FURTHER SPECIAL SUBMISSION

1 July, 2009

Review of the role and priorities of the Australian Crime Commission

ENDS

Featured on the CLA website with permission from Mr Bob Bottom, noted crime author and crusading journalist.

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