



# CRIMINAL ASSETS CONFISCATION TASKFORCE



Taking the profit out of crime

The Criminal Assets Confiscation Taskforce (CACT) is a multi-agency taskforce with responsibility for investigating and litigating Commonwealth proceeds of crime matters under the *Proceeds of Crime Act 2002* (Cth)

## **WHO WE ARE**

The CACT was launched in 2011 by government to combat the significant threat of serious and organised crime, including through enhancing the identification of criminal assets and strengthening their pursuit.

The CACT came into permanent effect on 1 January 2012 after a key amendment to the *Proceeds of Crime Act 2002* (Cth) (POCA). This amendment empowered the Commissioner of the Australian Federal Police (AFP) to commence and conduct proceeds of crime litigation on behalf of the Commonwealth. In practice, this is undertaken by a large and highly skilled team of in-house AFP criminal assets litigators. Prior to the CACT's establishment, this role fell solely to the Commonwealth Director of Public Prosecutions.

Led and hosted by the AFP, the CACT also brings together the resources and expertise of the Australian Criminal Intelligence Commission, Australian Taxation Office, AUSTRAC, and the Australian Border Force. Together, these agencies trace, restrain and ultimately confiscate criminal assets.

## **WHAT WE DO**

Consistent with the principal objects of the POCA, the CACT seeks to deprive persons and criminal groups of the proceeds, instruments and benefits of their offending, to punish and deter persons from breaching laws, and to undermine the profitability of criminal enterprises.

The Commonwealth's proceeds of crime laws allow the CACT to restrain both proceeds and instruments of crime based on a civil standard of proof, as well as obtain financial penalty and unexplained wealth orders, regardless of whether there exists a related criminal prosecution or investigation.

Significantly, the Commonwealth's proceeds of crime laws also provide the CACT with strong information gathering and coercive examination powers, and an ability to restrain the assets of criminal groups without their prior knowledge.

## HOW WE OPERATE

The CACT's participating agencies share a common goal: to draw on their unique expertise, experience and perspectives to enhance the Commonwealth's collective ability to target the criminal economy and take the profit out of crime.

Targeting the criminal economy by confiscating criminal assets and removing the profit from crime is one of a number of strategies deployed by the CACT and its domestic and international partners to disrupt organised criminal activity and deliver maximum impact to the criminal environment.

Supported by powerful legislation, the CACT's model of physically co-located, Australia-wide teams of police officers, litigators, financial investigators, forensic accountants and analysts, remains world leading as a model for criminal assets confiscation.

While the CACT's work under the POCA is civil in nature, the CACT nonetheless works closely in support of AFP and other partner-led criminal investigations, yielding a dual threat in this regard.

The CACT's relationships with foreign law enforcement, financial intelligence units and other international partners are crucial in identifying and subsequently confiscating the proceeds of foreign crimes arriving in or transiting through Australia, as well as proceeds of domestic crime located in foreign jurisdictions. Reflective of the global and transnational nature of organised crime, much of the CACT's work, like that of the wider AFP, is international in nature.

Finally, while the CACT litigates matters in the courts, restrained assets subject to custody and control orders are managed on behalf of the Commonwealth by the Australian Financial Security Authority (AFSA). At the conclusion of successful legal proceedings, criminal assets are liquidated by AFSA, with the proceeds deposited in the Commonwealth's Confiscated Assets Account (CAA). Funds in the CAA are then redistributed by the Minister for Home Affairs into many and varied crime prevention and law enforcement related measures.

## PERFORMANCE

The effectiveness of the CACT can be measured and demonstrated in a number of ways. The gross value of criminal assets restrained in any given year, and the value of assets confiscated following the conclusion of successful legal proceedings, are two of the more obvious measures. The importance of the CACT's matters to its domestic and international partners or the strategic impact of the crime types targeted by the CACT, are other lenses through which to assess the CACT's value to the community.

Across its history, the CACT has a demonstrated record of delivering results. Backed by its strong legislative powers, broad capabilities and diverse skill sets, the CACT is well-equipped to continue to deliver maximum impact to the criminal environment.



## REPORTING TO CACT

Reports to the CACT come from a variety of sources, including:

- AFP criminal investigations in which criminal assets are identified
- Participating and partner agencies
- Other Commonwealth agencies
- Intelligence developed targets
- Foreign law enforcement agency requests, and
- State and Territory police jurisdictions and criminal asset agencies.

## CONTACT US

CACT teams are located in Sydney, Melbourne, Brisbane, Perth and Canberra, providing Australia-wide coverage.

To report a matter to the CACT, please contact the AFP's National Operations State Service Centre (NOSSC) in your relevant State or Territory.

### AUSTRALIAN CAPITAL TERRITORY

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NOSSC Client Liaison Team	NOSSC-Client-Liaison@afp.gov.au
AFP Headquarters Canberra	GPO Box 401, Canberra ACT 2601
	Ph: (02) 5126 0000

### NEW SOUTH WALES

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NOSSC Eastern Command	NOSSC-Eastern@afp.gov.au
	Locked Bag A3000, Sydney South NSW 1232
	Ph: (02) 5126 0000

### QUEENSLAND

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### SOUTH AUSTRALIA

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	PO Box 200, Kent Town SA 5071
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### VICTORIA AND TASMANIA

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NOSSC Southern Command	MEL-OMC@afp.gov.au
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### WESTERN AUSTRALIA

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