

2021 Review of the annual reports of oversight bodies

Questions on Notice

NSW Crime Commission

1. Mr Paul Lynch of Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission (at page 16) of the transcript asked:

Mr PAUL LYNCH: In relation to the Liverpool council issue, is it anticipated that there will be further arrests?

Mr BARNES: No, I do not think so, but I can check that. My understanding is that we only ended up with one defendant, but I will check that for you, Mr Lynch—I knew you would have an interest in that.

Response:

The Crime Commission has ascertained that while some further inquiries are being undertaken by police, in the assessment of the case officer here, further charges are unlikely.

2. The Chair of the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission (at page 17) of the transcript asked:

The CHAIR: Can I ask you about the National Cooperative Scheme on Unexplained Wealth, which has been operating for a couple of years? This question may be for Mr Wilde. Can I get an update on how that scheme has been working? It is obviously targeting unexplained wealth—where people are getting money from. Is that a scheme that has been worthwhile? Does it continue in its original form?

Response:

The current Executive Director Financial Investigations is the New South Wales representative to the Co-operating Jurisdiction Committee (CJC) of the National Co-operative Scheme on Unexplained Wealth (NCSUW).

The scheme is worthwhile and the Australian Federal Police's overall management of the CJC is very smooth. To date the sharing side of the scheme is skewed towards the NSW sharing confiscation outcomes with the Commonwealth, with a far lesser amount coming from the Commonwealth to the State of NSW.

This current outcome is likely to be the result of the State of NSW commencing many more cases than the Commonwealth. This reflect also historically the State of NSW

taking on matters that have been rejected by the Commonwealth. These matters then qualify for sharing. However, the scheme is an improvement on the previous scheme where sharing was previously only from the NSW State to the Commonwealth.

The scheme makes sharing mandatory in cases that meet the criteria.



Prepared by:

Mike Wilde

15 June 2021

Executive Director Corporate Services