

Communiqué: Law, Crime and Community Safety Council, 22 May 2015

The first meeting of the Law, Crime and Community Safety Council (LCCSC) for 2015 was held on 22 May 2015 in Canberra. The Commonwealth Attorney-General, the Hon George Brandis MP, and Minister for Justice, the Hon Michael Keenan MP, chaired the meeting. Ministers from the Commonwealth, each state and territory with portfolio responsibility for law and justice, police and emergency management were in attendance, as was a representative of the Australian Local Government Association. New Zealand was represented by officials from New Zealand Police and the New Zealand Ministry of Justice.

Summary of decisions

Session 1: Emergency Management

Natural Disaster Funding Reforms

Ministers agreed to work together to explore options for a recovery funding model based on upfront damage assessments, and for top-up on recovery funding to support mitigation initiatives offset by a modest decrease in recovery funding.

Standardisation of Bureau of Meteorology services

Ministers endorsed the implementation of actions to nationally standardise the Bureau of Meteorology's hazards services and clearly allocate responsibilities to the Bureau, state, territory and local government for flood management as outlined in the Final Report of the Australia-New Zealand Emergency Management Committee Standardisation of Bureau of Meteorology Services Taskforce.

Emergency Alert

Ministers noted the status of the Emergency Alert Program, including the Emergency Alert Phase 3 Project and Emergency alert operations.

Lessons from Tropical Cyclone Marcia

Ministers received a brief from Queensland on lessons arising from Tropical Cyclone Marcia that crossed the coast north of Yeppoon on the morning of 20 February 2015 causing significant hardship. Some 2000 buildings were damaged—238 severely and 14 totally. Many residents were without power for several days.

The Northern Territory updated the LCCSC that their response to two cyclones was effective based on modernised legislation, a rapid impact assessment tool and the use of National Critical Care and Trauma Response Centre's system for managing evacuees. The NT offered to share information and technology with other jurisdictions.

Session 2: Law Enforcement and Community Safety

National facial biometric matching capability

Ministers:

- a) supported the Commonwealth's establishment of a National Facial Biometric Matching Capability to improve governments' ability, where authorised by law and in accordance with relevant privacy legislation, to share and match facial images; and
- b) agreed that the Commonwealth work with the states and territories to progress arrangements for law enforcement and road agencies to participate in the Capability.

Response to the panel on unexplained wealth

Ministers noted the importance of cooperative approaches to using unexplained wealth laws to disrupt and undermine serious and organised crime in Australia, and agreed to continue to work to develop the proposed national cooperative scheme on unexplained wealth.

Response to serious and organised crime

Ministers:

- a) agreed that tackling the evolving threat posed by serious and organised crime requires a collaborative and coordinated national response, and
- b) endorsed the *National Organised Crime Response Plan 2015-18* which sets out a range of activities that jurisdictions will pursue over the life of the plan to tackle this threat.

The *National Organised Crime Response Plan 2015-18* is available [here](#).

National ice taskforce update

Ministers discussed the work of the National Ice Taskforce to develop a National Ice Action Strategy before the end of 2015, in collaboration with Commonwealth, state and territory governments.

Ministers noted that the Taskforce will be informed by consultations with the community, expert groups and the non-government sector (including stakeholders in regional and rural areas) and will present an interim report to the Prime Minister for consideration by the Council of Australian Governments in mid-2015.

The Taskforce will also draw upon existing initiatives aimed at tackling ice and other illicit drugs, including those that Ministers considered at today's meeting, such as the *National Organised Crime Response Plan 2015-18* and options to prevent the diversion of precursor chemicals into illicit drug manufacture.

National consistency of controls on precursor chemicals and equipment

Ministers agreed to work towards more nationally consistent controls over precursor chemicals and equipment and will arrange public consultation on a range of possible options.

National Domestic Violence Order scheme and information sharing system

Ministers noted:

- a) the progress on the model legislation to underpin a National Domestic Violence Order Scheme to enable the automatic recognition and enforcement of domestic violence orders across jurisdictions
- b) that the objective of the National Domestic Violence Order Information Sharing System is to prototype the technical solution to improve the lack of national coordination and information-sharing of domestic violence orders and related court orders across systems and between jurisdictions,
- c) that CrimTrac is working with Tasmania, New South Wales and Queensland to test the prototype information sharing system, and
- d) Ministers also noted that, at present, once a DVO is registered in another state, it is recognised and can be enforced as if it had been made there. Victims should be made aware of this and be encouraged to register their DVO in their new state or a border state.

Indigenous community safety

Ministers:

- a) noted that all jurisdictions have participated in a working group to examine how all jurisdictions can 'ensure that Indigenous communities are safe'; and
- b) agreed that the working group's outcomes be referred to First Ministers to consider for inclusion in COAG's future work programme and that information sharing between the States and Territories will continue to allow jurisdictions to learn from experience gained elsewhere and support evidence-based policy and program development.

National security update

The Director-General of Security and the AFP Commissioner provided an update to Ministers on the current national security threat.

Ministers were briefed on the scale of the terrorism threat, both at home and abroad, and the security and law enforcement operations that have been conducted since the 3 October 2014 LCCSC meeting.

Ministers were also briefed on the measures that the Australian Government is progressing to combat this threat and keep Australians safe, including: details regarding the recently announced budget measures to improve the capabilities of Australia's intelligence, security, law enforcement and border agencies and measures to build community resilience through new countering violent extremism and countering online narratives programmes; recent legislative reform; and progression of the National Counter-Terrorism Strategy.

Implementation of the Martin Place Siege Review recommendations

Ministers:

- a) discussed the report by the *Joint Commonwealth-New South Wales Review into the Martin Place Siege*, which was established by the Prime Minister and Premier of NSW and was led by the Secretaries of the Commonwealth Department of the Prime Minister and Cabinet and the NSW Department of Premier and Cabinet
- b) noted the Joint Commonwealth-NSW Review into the Martin Place Siege, its recommendations and overall findings, including that:
 - i. overall, the judgements made by government agencies were reasonable and that the information that should have been available to decision makers was available, but
 - ii. modest changes are needed to our laws and government processes to mitigate the public security risks exposed by the incident
- c) agreed to implement a number of the Review's recommendations relating to better tracking firearms and restricting the movement and use of illegal firearms, strengthening identity management and protecting identity use and options for strengthening bail policies across jurisdictions, and
- d) noted that a number of the Review's recommendations around Australia's national

security machinery would be progressed via the Australia New Zealand Counter Terrorism Committee and the Council of Australian Governments together with recommendations out of the Commonwealth's Counter Terrorism Review, which was released on 23 February 2015.

Options to boost collaboration between CrimTrac and the Australian Crime Commission

Ministers:

- a) noted the importance of timely access to accurate information and intelligence to achieving law enforcement outcomes at all levels;
- b) noted the benefits of improving collaboration between the Australian Crime Commission (ACC) and CrimTrac; and
- c) agreed that the Commonwealth would continue to work with jurisdictions through the ACC and CrimTrac Boards to develop recommended options to improve collaboration between these agencies for ministerial consideration.

Session 3: Law Reform

National legal assistance reforms

Ministers:

- a) agreed to progress draft future arrangements for legal aid commissions and community legal centres, with a view to finalising a new agreement before 30 June 2015, and
- b) agreed in-principle to the *National Strategic Framework for Legal Assistance*, while acknowledging that some jurisdictions reserve their position in relation to particular

aspects of the framework to be finalised before it comes into operation.

National legal profession reforms

Ministers:

- a) received an update on the implementation of the Legal Profession Uniform Law from the Chair and CEO of the Legal Services Council in advance of the commencement of the Uniform Law in Victoria and New South Wales on 1 July 2015;
- b) noted that the introduction of the Uniform Law is an important step towards uniform regulation of the legal profession across Australia; and
- c) agreed that, subject to consultation with their respective professional bodies, non-participating jurisdictions (Queensland, South Australia, Western Australia, Tasmania, Northern Territory and the Australian Capital Territory) will consider the Uniform Law.

LCCSC priority actions for 2015-16

Ministers noted progress against the Council's priorities for 2014-15 and agreed to priority actions for 2015-16.