

Draft Communiqué:

Law, Crime and Community Safety Council, 5 November 2015

The second meeting of the Law, Crime and Community Safety Council for 2015 was held on 5 November 2015 in Canberra. The Commonwealth Attorney-General, the Hon George Brandis MP, and Commonwealth Minister for Justice, the Hon Michael Keenan MP, chaired the meeting. Ministers from the Commonwealth, New Zealand and 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.

Summary of decisions

Session 1: Emergency Management

Disaster funding reform

Ministers **agreed** to continue to investigate a new model where the Commonwealth would provide recovery funding to states for the reconstruction of essential public assets based on upfront damage assessments and pre-determined reconstruction costs.

Review of implementation of the National Strategy for Disaster Resilience

Ministers **endorsed** the National Strategy for Disaster Resilience: Implementation Review – Progress to Date and Priority Areas for Action; and **agreed** to make the Progress to Date publicly available.

Disaster Preparation for 2015-16 Summer

Ministers **noted** the Commonwealth and jurisdictional disaster preparations for the 2015-16 summer season.

Strategic Directions For Fire and Emergency Services in Australia and New Zealand for 2014-16

Ministers **noted** the paper *Achievements against the Strategic Directions for Fire and Emergency Services in Australia and New Zealand for 2014-2016*; and **acknowledged** the accomplishments from January 2014 to June 2015.

Session 2: Law Enforcement and Community Safety

National Ice (Crystal Methamphetamine) Action Strategy

Ministers **noted** the update from the Commonwealth Minister for Justice on the development of a National Ice Action Strategy and also the collaborative efforts already underway in all jurisdictions.

Response to the panel on unexplained wealth

Ministers noted the work undertaken by the Commonwealth, New South Wales, Victoria, Western Australia, Australian Capital Territory and the Northern Territory ('participating jurisdictions') to further develop a national cooperative scheme on unexplained wealth and noted that participating jurisdictions agree to confirm their position on outstanding issues by 31 December 2015.

Options to boost collaboration between CrimTrac and the Australian Crime Commission

Ministers **noted** the significant law enforcement and national security benefits that would be achieved through closer collaboration between the CrimTrac Agency, Australia's policing information sharing agency, and the Australian Crime Commission, Australia's national criminal intelligence agency, and **agreed** to the Commonwealth taking necessary steps to merge CrimTrac and the ACC.

Implementation of the National Facial Biometric Matching Capability

Ministers **agreed** to progress development of the intergovernmental agreement on state and territory participation in the National Facial Biometric Matching Capability, in consultation with Transport Ministers, for signature in early 2016.

Ministers **reaffirmed** the Council's support for the establishment of the Capability and **noted** the outcomes of the independent privacy impact assessment on the design of the interoperability hub of the Capability.

Ministers **agreed** the Privacy Impact Assessment (PIA) – Interoperability Hub and Commonwealth response to the PIA documents should be made publicly available.

The ACT reserved its position on the Facial Verification System subject to the implementation of the service. The ACT did not support the Facial Identification Service as this service raises significant privacy and human rights concerns that have not been satisfactorily addressed.

National Firearms Agreement and other firearms measures

Ministers **reaffirmed** the significance of the National Firearms Agreement and asked senior officials to provide further advice at the next meeting.

Fines Enforcement

Ministers **noted** the work being done in Western Australia to apply behavioural science to fines enforcement.

Session 3: Family Violence and Community Safety

Family Violence

Ministers **noted** the work being done in all jurisdictions to act against family and domestic violence in all its forms, including the Commonwealth's Women's Safety Package. Ministers further **noted** the additional work being done by government agencies, professional and public sector groups and community organisations, including the Australian Institute for Family Studies, the Family Law Council and the Australian Human Rights Commission.

National Domestic Violence Order Scheme

Ministers **endorsed** the model legislation to underpin a National Domestic Violence Order Scheme to enable the automatic recognition and enforcement of domestic violence orders across jurisdictions; and **noted** that the Council of Australian Governments will consider the model law framework underpinning a National Domestic Violence Order Scheme at its next meeting.

Minister further **agreed** to the Commonwealth leading efforts to deliver an interim technical solution to allow information sharing while a national capability is progressed in parallel.

Technology Facilitated Abuse

Ministers **agreed** the recommendations developed by the National Cybercrime Working Group on possible areas of action to address technology-facilitated abuse should be presented to the Council of Australian Governments next meeting.

National security update including legislative developments

Ministers received an update from the Commonwealth Attorney-General on recent legislative reforms and from the Director General of Security and the Acting Commissioner of the Australian Federal Police on current national security issues.

Countering Violent Extremism

Ministers received an update from the Commonwealth Minister for Justice and the Commonwealth Counter Terrorism Coordinator on recent progress on programs to counter violent extremism.

Session 4: Law Reform

Treatment of people unfit to plead or found not guilty by reason of mental impairment

Ministers **agreed** to establish a working group to collate existing data across jurisdictions and develop resources for national use on the treatment of people with cognitive disability or mental impairment unfit to plead or found not guilty by reason of mental impairment.

Suicide Reporting in the Coronial Jurisdiction

Ministers **agreed** that states and territories will establish a working group to consider standardisation of coronial legislation in relation to the reporting of suicide, including a requirement for coroners to make a finding of-intention in relation to all deaths caused by an action of the deceased, and report back to the Council LCCSC within 12 months.

Royal Commission into Institutional Responses to Child Sexual Abuse – Redress and Civil Litigation Report

Ministers discussed the Royal Commission's report on redress and civil litigation with a view to informing each government's consideration of the report and agreed to relist the matter for more detailed consideration at the next meeting of the Council.

International Opportunities for the Australian Legal Profession

Ministers noted an update from the Commonwealth on improvements to access to international markets for Australian legal professionals, in particular in China, Japan, South Korea and India.