

Address by

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COOPERATION IN LAW ENFORCEMENT: THE KEY TO FIGHTING TRANSNATIONAL ORGANISED CRIME

Australia is honoured to be able to participate in this, the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

The Challenge of Transnational Organised Crime

As all delegates are aware, illicit drugs, international fraud and trafficking in human beings are now major issues for governments across the globe.

Transnational crime is on the move, spreading like a rampant virus.

We have found that the old methods of fighting crime that relied on sheer brawn and bravado, such as we see in Hollywood films, the Bruce Willis genre for example, have given way to intelligencedriven policing. Brains, technology, together with teamwork and cooperation are the future for law enforcement, not muscle and wasteful turf wars between agencies.

But let's make no mistake about the threat - the problem is huge.

We are here today because we are united in our belief that these problems can only be dealt with by cooperation on an international level..

Changing Forms of Transnational Organised Crime

The rapid expansion of the Internet and developments in international communications are providing new opportunities for criminal activity on a transnational scale.

Electronic crime including fraud, extortion, theft, sabotage, intellectual property crime and tax evasion are all on the increase.

In an age where billions of dollars can be transferred offshore as fast as a mouse button click, we cannot afford to be unprepared.

Growth in Transnational Organised Crime

We also need to recognise that organised crime is constantly evolving, mutating and growing.

Criminals work cooperatively, so must we.

The Need for International Cooperation

International cooperation, a crucial tenet of Australia's approach to combating organised crime, needs to occur on a number of levels.

First are our formal international cooperation arrangements that allow for extradition and exchange of information.

Secondly, there is informal cooperation, such as intelligence sharing through law enforcement liaison networks.

Finally, we also cooperate by sharing skills and capabilities.

For each of these channels of cooperation to be most effective, we need greater harmony between the legal systems of the countries with which we cooperate.

Like charity, however, cooperation begins at home. Put simply, if you can't do it locally you won't do it globally.

National Cooperation and Transnational Crime

Perhaps, therefore, the place to start in the fight against transnational organised crime is our own national law enforcement agencies. We must ensure that they work together to provide a coordinated national response to international organised crime.

National cooperation is not only crucial to international cooperation it is a prerequisite for it.

If a partner country contacts us seeking intelligence, we should have a means of ensuring we can respond to that request quickly on behalf of the nation as a whole without forcing the inquiring country to go shopping amongst all of our law enforcement agencies.

The structure of law enforcement has always been such that responsibilities are shared between different agencies, with different responsibilities, interests and powers.

We need to understand that transnational organised crime does not respect these differences in responsibilities; indeed, it ruthlessly exploits them.

In Australia, with our federal framework, this has called for leadership by the federal government.

Our experience may offer some lessons at the international level. We all have a lot to learn from each other.

The Australian Experience of Cooperation in Law Enforcement

As Minister for Justice and Customs, my portfolio contains Australia's major national law enforcement agencies.

I recognise the urgent need for governments and law enforcement agencies around the world to link arms against the forces of crime which want to undermine our social foundations and plunder the wealth of our private citizens, however rich or poor they may be.

However, for each nation to play its proper role we must ensure that within our own borders our agencies are maximising their efficiency by cooperation.

To that end I have tasked each agency, as a matter of priority, to improve coordination of their activities with other relevant Commonwealth and State/Territory agencies.

People smuggling

Recognising its emergence as a major activity for transnational organised crime, Australia has taken steps to seriously increase the penalties for people smuggling. Penalties have increased five fold.

We look forward to the conclusion of the proposed Protocols to the Draft United Nations Convention on Transnational Organised Crime, which deal with these issues.

Trafficking in People

Trafficking in people, a new form of an old crime - slavery, needs to be recognised for what it is. We have responded by introducing modern criminal legislation providing penalties of up to 25 years imprisonment. .

In addition to making trafficking in people a criminal offence we have criminalised the behaviour of Australians overseas who engage in child sex tourism offences. We have successfully prosecuted these people.

Money laundering

Money laundering is an integral part of the global criminal economy and is perhaps the greatest threat to the integrity of some governments whose offshore banks are currently awash with billions of dollars of ill-gotten gains.

Australia is proud of its record in implementing measures to counter the activities of money launderers. Australia was among the first countries in the world to develop and enact legislation making money laundering a criminal offence.

Australia looks forward to the finalisation of workable and effective anti-money laundering provisions in the proposed Convention Against Transnational Organised Crime.

Conclusion: The UN Convention and the International Agenda for Fighting Transnational Crime.

This Convention represents a defining moment in overcoming differences in the legal traditions of various States for the purposes of combating crime.

The need for this Convention is clear. The need for this Convention to be negotiated quickly is also clear. There is no time for prolonged negotiation.

We urge all countries to contribute fully and constructively in the continuing negotiation of the draft Convention and its Protocols with a view to early finalisation of an effective agreement.

Australia believes the proposed Vienna Declaration on Crime and Justice offers great potential to all States in reaching agreement on long term plans against transnational crime. We hope that it will represent a key milestone for international cooperation in the future.

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