



Australian Government
Attorney-General's Department

AUSTRALIAN COUNTRY REPORT 2019

**PACIFIC ISLANDS LAW OFFICERS' NETWORK
38th ANNUAL MEETING, TAUMEASINA ISLAND, SAMOA
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AUSTRALIAN COUNTRY REPORT 2019 - 38th PACIFIC ISLANDS LAW OFFICERS' NETWORK

ANNUAL MEETING

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AUSTRALIAN COUNTRY REPORT 2019
38th PACIFIC ISLANDS LAW OFFICERS' NETWORK ANNUAL MEETING

Australia has a federal constitutional system in which legislative, executive and judicial powers are shared or distributed between the Australian Government, six state governments, and the governments of two internal self-governing territories. Responsibility for Pacific Islands Law Officers' Network (PILON) priority issues often overlaps between the Australian Government and the state and territory governments.

In the interests of brevity, hyperlinks are provided to new legislation, reports and policy documents, so PILON members can access further information on particular topics.

This report covers the period October 2018 to September 2019, and focuses predominantly on issues falling within PILON's three strategic priority areas, being sexual and gender based violence, cybercrime and corruption.

1. PILON and its strategic priorities

(a) Cybercrime

Australia's response to Christchurch

On 4 April 2019, the Australian Parliament passed the [Criminal Code Amendment \(Sharing Abhorrent Violent Material\) Act 2019](#) in response to the attack in Christchurch, New Zealand. This incident demonstrated that online platforms can be misused to amplify extremist messages in the immediate aftermath of a terrorist attack.

The Act created a new offence that applies to content, internet and hosting service providers who fail to notify the Australian Federal Police of material relating to abhorrent violent conduct occurring in Australia that is hosted on or accessible through their services. The Act also created a new offence that applies to content and hosting service providers around the world who fail to expeditiously remove abhorrent violent material.

Joint Cyber Security Centres

The Joint Cyber Security Centre (JCSC) program provides cyber security protections through collaboration between government, industry, academia and the not-for-profit sector. Information is shared about threats and best-practice ways to prepare and respond to cyber security threats. The program is a central initiative of the Australian Government's [Cyber Security Strategy](#).

Joint cyber security centres have been established so far in Sydney, Melbourne, Brisbane and Perth. Joint cyber security centres will play a major role in keeping Australia prepared for, and safe from, malicious cyber activity.

Pacific Cyber Security Operational Network

The [Pacific Cyber Security Operational Network \(PaCSON\)](#) was established on 30 April 2018, as a network of government-designated cyber security incident response officials from across the Pacific.

PaCSON will:

- act as a points of contact network should a cyber security incident affect the region
- empower members to share cyber security threat information
- provide opportunities for technical experts to share tools, techniques and ideas
- be an enabler of cooperation and collaboration, and
- be supported by other partners including the not-for-profit sector and academia.

The first meeting took place in Brisbane in August 2018. Australia welcomed over 20 participants from 14 countries: Australia, the Cook Islands, Fiji, Kiribati, the Marshall Islands, New Zealand, Niue, Palau, Papua New Guinea, Samoa, the Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu. Members participated in a cyber security information exchange, an advanced persistent threat incident response discussion exercise, a cyber security awareness-raising workshop and an in-depth session with our region's newest computer emergency response teams from Papua New Guinea, Tonga and New Zealand.

The PaCSON initiative is funded by the Australian Government through DFAT's Cyber Cooperation Program, as part of Australia's [International Cyber Engagement Strategy](#). PaCSON will work closely with organisations in our region that share the objective of an open, free and secure internet. A PaCSON Executive Committee has been elected to guide the goals and objectives of the network, with New Zealand elected Chair, Tonga elected Deputy Chair, and Samoa elected Incoming Chair.

The Australian Cyber Security Centre will continue to provide support to this network by providing a secretariat function as well as operational and technical guidance.

Australia's cyber security strategy

In September 2019, the Australian Government announced the development of Australia's next Cyber Security Strategy, for delivery in 2020. The cyber threat landscape has shifted and evolved dramatically since the release of the [2016 Cyber Security Strategy](#).

In developing the new Cyber Security Strategy, the Government will explore options to strengthen our cyber capability, protect the economy, and raise the community's ability to respond to and manage cyber threats. This includes how we protect Australia's most critical systems. The new Cyber Security Strategy will be developed through extensive consultation

with industry, academia and community groups, including through a public consultation period from September 2019 – November 2019.

Telecommunications Sector Security Reforms

The Telecommunication and Other Legislation Act 2017, known as the Telecommunication Sector Security Reforms (TSSR), amends the *Telecommunications Act 1997* to establish a regulatory framework to better manage the national security risks of espionage, sabotage and foreign interference to Australia's telecommunications networks and facilities.

TSSR commenced on 18 September 2018 and requires all carriers, carriage service providers and carriage service intermediaries to do their best to protect networks and facilities from unauthorised access and interference, by maintaining competent supervision and effective control over telecommunications networks and facilities owned or operated by them.

The Home Affairs Minister has a new directions power, to direct a carrier, carriage service provider or carriage service intermediary to do, or not do, a specified thing that is reasonably necessary to protect networks and facilities from national security risks.

(b) Corruption

Establishing the Commonwealth Fraud Prevention Centre

The Australian Government announced the establishment of a two-year pilot for a Commonwealth Fraud Prevention Centre to coordinate counter-fraud activities. The purpose is to:

- develop a true picture of the impact of fraud on the Commonwealth
- assess the benefit for government investment in fraud-prevention measures
- influence government culture and policies to become fraud resilient.

The Centre will improve the understanding of fraud risks, vulnerabilities and fraud-resilient policy design and share data and lessons learnt across government, non-government and international sectors.

Countering Foreign Influence

To protect Australia's democratic and government processes, the Australian Government established the Foreign Influence Transparency Scheme (the scheme), which commenced on 10 December 2018. The scheme provides greater visibility of the nature, level and extent of foreign influence on Australia's government and political processes, and establishes a register on which people or entities that undertake certain activities, such as lobbying on

behalf of a foreign principal for the purpose of political or governmental influence, are required to register unless an exemption applies.

The scheme provides the Secretary of the Attorney-General's Department with a number of powers. These include the power to issue a 'transparency notice'—a formal notice declaring an individual or entity is connected to a foreign government or foreign political organisation, and information gathering powers, which allow the Secretary to require an individual or entity to provide information to satisfy the Secretary as to whether the entity or individual is liable to register under the scheme.

In addition to the introduction of these powers, the scheme also establishes criminal offences ranging from failing to comply with obligations under the scheme, through to failing to register in circumstances where a person is required to do so. The maximum penalties for these offences range from six months to five years imprisonment.

Review of whistleblower protections

The [Treasury Laws Amendment \(Enhancing Whistleblower Protections\) Act 2019](#) was passed by Parliament on 19 February 2019 and received Royal Assent on 12 March 2019.

The Act commenced 1 July 2019. The requirement for large companies to have a whistleblower policy will commence from 1 January 2020.

This Act delivers on the Government's commitment in the Open Government National Action Plan to strengthen corporate sector whistleblower protections and introduce new protections for tax whistleblowers.

The reforms consolidate and broaden the existing protections and remedies for corporate and financial sector whistleblowers and will mean whistleblowers will be able to come forward with the confidence that they will be protected under a comprehensive and robust legal framework.

For example, the Act makes it easier for a whistleblower to seek redress for detriment or damage that is caused as a result of a whistleblower disclosure, or a suspected whistleblower disclosure, and permits anonymous disclosures, which are currently not protected under the existing law. Whistleblowers are also protected in certain circumstances where disclosures are made to the media or a Parliamentarian.

The Act also creates a new whistleblower protection and compensation regime in the taxation law, to protect those who expose tax misconduct.

(c) Sexual and Gender-Based Violence

Women's Economic Security Package

Under the Women's Economic Security Package, the Australian Government has committed new funding to expand the legal and social support services delivered to people experiencing family violence and provide additional services to help families resolve family law disputes.

The new initiatives include:

- legal assistance to people experiencing family violence to protect them from direct cross-examination by alleged perpetrators in family law proceedings
- the expansion of Domestic Violence Units and Health Justice Partnerships, which provide wraparound legal and other services to women who have experienced domestic violence, to include financial support services such as financial counselling

National Plan to Reduce Violence against Women and their Children 2010–2022

As part of a funding package to support the *Third Action Plan of the National Plan to Reduce Violence against Women and their Children (2010-2022)*, the Australian Government provided funding over three years (2016-17 to 2018-19) to fund pilots of legally-assisted and culturally appropriate family dispute resolution services for Indigenous and culturally and linguistically diverse families who have experienced family violence. In 2018-19, further funding was provided to extend the operation and evaluation of the pilots by one year, to 30 June 2020.

Under the [*Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children \(2010–2022\)*](#), the Australian Government is providing funding to enhance information sharing between the family law, family violence and child protection systems. The funding will assist courts to receive timely and relevant information to identify and mitigate risks to family safety.

The [*Family Law Amendment \(Family Violence and Cross-examination of Parties\) Act 2018*](#) was passed by the Parliament on 5 December 2018. The Act amends the *Family Law Act 1975* to ensure that appropriate protections for victims of family violence are in place for cross-examination in all family law proceedings involving allegations of family violence. Under the Act, direct cross-examination is prohibited in certain circumstances, and must instead be conducted by a legal representative. Legal representation may be arranged privately or through legal aid. Where direct cross-examination is not prohibited, the court must apply other appropriate protections for the victim (such as using video link or screens).

Family Law Reform

On 10 April 2019, the Australian Law Reform Commission handed down its [review of the family law system](#). The final report made 60 recommendations for reform to the family law system to ensure it meets the contemporary needs of families. The Australian Government is currently considering the recommendations of the report and will provide a response in due course.

On 23 August 2018, the Australian government introduced the [Federal Circuit and Family Court of Australia Bill 2018](#) and the accompanying [Federal Circuit and Family Court of Australia \(Consequential Amendments and Transitional Arrangements\) Bill 2018](#). The bill seeks to improve outcomes for children and families in the family law jurisdiction of the Federal Court through common leadership, common management and a consistent internal case management approach.

The Australian Government has also been working on delivering various initiatives to improve competency of professionals working with families in crisis. Between August 2017 and November 2018, the Family Violence in the Court training program for judicial officers was conducted by the National Judicial College of Australia. Redevelopment of the Independent Children's Lawyer national training program was also completed in November 2018. In July 2019, the Australian government funded the second update of the [National Domestic and Family Violence Bench Book](#), which is an online educational resource developed to assist with the education and training of judicial officers in cases involving domestic and family violence in all Australian jurisdictions.

Royal Commission into Institutional Responses to Child Sexual Abuse

The Child Abuse Royal Commission Implementation Taskforce, established within the Attorney-General's Department, continues to coordinate action across Australian Government agencies on the implementation of the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) and track the progress made by all Australian governments. The Taskforce works with state and territory governments to ensure national coordination and consistency, and will operate until June 2020.

In response to the Royal Commission's Final Report, the [National Redress Scheme for Institutional Child Sexual Abuse Act 2018](#) commenced in July 2018. The Act established the [National Redress Scheme](#) that will operate for 10 years. The Scheme helps people who have experienced institutional child sexual abuse to access counselling, a payment and a direct personal response from the responsible institution (eg an apology).

The [National Office for Child Safety](#) (NOCS) was established in July 2018, and moved from the Department of Social Services to the Department of Prime Minister and Cabinet in

January 2019. The NOCS provides national leadership, working across governments and sectors, to deliver national policies and strategies to enhance children's safety and reduce future harm to children. The NOCS is overseeing the design and implementation of the National Strategy to Prevent Child Sexual Abuse which is focused on driving cultural change through education and awareness, and measures which provide victims and survivors of child sexual abuse with access to the right supports at the right time. The NOCS is also working with governments and non-government institutions to implement the National Principles for Child Safe Organisations which provide a nationally consistent approach to cultivating organisational cultures and practices that foster child safety and wellbeing across all sectors in Australia.

The Australian Government has also introduced the [Commonwealth Child Safe Framework](#), a whole-of-government policy that sets minimum standards for creating and embedding a child safe culture and practice in Commonwealth entities.

The [Australian Centre to Counter Child Exploitation](#) was announced by the Australian Government in March 2018. It is led by the Australian Federal Police and brings together key stakeholders and partners to drive a collaborative national response to online child sexual exploitation, including from overseas.

The Australian Government also committed to establish a National Centre for the Prevention of Child Sexual Abuse. This initiative, led by the Department of Social Services, aims to prevent child sexual abuse, reduce the associated stigma, and raise awareness and understanding of the impacts of child sexual abuse.

The Australian Government's first Annual Progress Report on the implementation of recommendations from the Royal Commission was tabled on 14 December 2018. By 15 December 2019, the Australian Government will table the second of five annual reports the Australian Government has committed to deliver until December 2022. These reports outline the Australian Government's progress implementing the Royal Commission's recommendations. States, territories and some institutions also publish annual reports. All annual reports are available on the [Australian Government Response website](#), which also provides other information about the work of the Royal Commission. The website is designed to keep people informed of progress and to provide accessible and trauma-informed information to survivors, families, children and institutions.

Combatting child sexual abuse

The Australian Government has introduced a package of legislative reforms to better protect the Australian community from child sex offenders. In 2019, the Government passed the [Combatting Child Sexual Exploitation Legislation Amendment Act 2019](#) and introduced the [Crimes Legislation Amendment \(Sexual Crimes Against Children and Community Protection Measures\) Bill 2019](#). Once enacted into legislation, these two bills

will form a suite of measures that will target child sexual exploitation and abuse occurring both overseas and in Australia, and improve justice outcomes for survivors of Commonwealth child sexual offences.

The bills are intended to respond to recommendations from the Australian Royal Commission into Institutional Responses to Child Sexual Abuse and to complement other legislative reforms aimed at criminalising child sexual abuse and strengthening protections for the community. This includes measures restricting registered child sex offenders' ability to travel overseas, under the [Passports Legislation Amendment \(Overseas Travel by Child Sex Offenders\) Act 2017](#) and measures targeting online predators preparing or planning to cause harm to, procure, or engage in sexual activity, under the [Criminal Code Amendment \(Protecting Minors Online\) Act 2017](#) (Carly's Law).

Forced marriage and human trafficking

Australia has taken strong action to refine its domestic response to human trafficking and slavery over 2019. Key initiatives included: the 1 January 2019 entry into force of the [Modern Slavery Act 2018](#), which establishes a national [Modern Slavery Reporting Requirement](#) for large businesses; convening Australia's first modern slavery conference for businesses in June 2019 with over 400 delegates from 14 countries (including Vanuatu and the Solomon Islands) and undertaking an AUD \$0.5 million 18 month trial to improve forced marriage victims' access to longer-term Government support over 2018-19.

Admissibility of tendency evidence in sexual offence trials

[The Queen v Dennis Bauer \(a pseudonym\) \[2018\] HCA 40](#) – On 12 September 2018, the High Court ruled in favour of the admissibility of tendency evidence of a single complainant to prove sexual offence charges and that there was no real risk of the jury using that evidence in an unfair way as to justify its exclusion. Proof of the accused committing sexual acts against a complainant on one occasion makes it more likely that the accused committed a similar sexual offence against that complainant on another occasion, when the opportunity presents, where the two events are not too separate in time.

2. Significant issues affecting the law and justice sector, and options to address these issues

Protecting Freedom of Religion

The *Report of the Expert Panel of the Religious Freedom Review*, which was delivered in May 2018, highlighted an opportunity to better protect and promote freedom of religion in Australia. In response to the recommendations of the Review, the Australian Government has released exposure drafts of three bills, which together form a package of legislation on religious freedom, for a period of public consultation. This includes the exposure draft of the Religious Discrimination Bill, which will protect against discrimination on the basis of

religious belief or activity in key areas of public life. The Bill could also establish a new office of the Freedom of Religion Commissioner in the Australian Human Rights Commission.

National Plan on Elder Abuse

On 19 March 2019, the Australian Government launched the *National Plan to respond to the Abuse of Older Australians*. A supporting implementation plan was finalised on 28 June 2019.

The National Plan includes five priority areas for action:

1. Enhancing our understanding.
2. Improving community awareness and access to information.
3. Strengthening service response.
4. Planning for future decision-making.
5. Strengthening safeguards for vulnerable older adults.

To address the National Plan's first two priorities, the Australian Government is currently working to establish a centralised information and resource repository on elder abuse and conduct a national prevalence study into elder abuse. The prevalence study is critical to building our knowledge of the nature of the abuse of older Australians to assist all governments in developing appropriate responses.

Royal Commission into Aged Care Quality and Safety

The [Royal Commission into Aged Care Quality and Safety](#) was established on 8 October 2018. This Royal Commission is a vital step for Australia to determine the full extent of problems in aged care and to understand how we can meet the challenges and the opportunities of delivering aged care services now and into the future. An interim report will be provided to Parliament by 31 October 2019 and a final report by 30 April 2020.

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

The [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#) was established on 4 April 2019. The establishment of the Royal Commission reflects the government's commitment to take violence, abuse, neglect and exploitation of people with disability very seriously. It will help to inform Australian governments, institutions and the wider community on how to prevent, and better protect, people with disability from experiencing violence, abuse, neglect and exploitation in the future. An interim report will be provided to Parliament by 30 October 2020 and a final report by 29 April 2022.

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

The Final Report of the [Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry](#) was presented to the Governor-General on 1 February 2019. The government's response to the Royal Commission was released on 4 February 2019.

3. Technical legal assistance

PILON

The Australian Attorney-General's Department supported PILON to strengthen collaboration, coordination and cooperation between Pacific law and justice agencies to progress regional law and justice priorities, focusing on PILON's strategic priority areas of sexual and gender based violence, cybercrime and corruption.

In particular, the Department supported PILON to hold a cybercrime workshop in Vanuatu focused on *International Cooperation to share electronic evidence to combat cybercrime*, Sexual and Gender Based Violence workshop in Samoa focused on *Quality Evidence without Re-Victimisation: Promoting Special Measures for Vulnerable SGBV Complainants* and a Corruption working group meeting in Fiji on development of a *Manual on Prosecuting Financial Crime*.

The Department has also supported the PILON SGBV working group in the development of model Evidence Act provisions that provide a legislative basis for the use of special measures to support vulnerable witnesses in court, along with a high level review of the extent to which the model provisions have been incorporated throughout the region.

The Attorney-General's Department continued to support PILON's collaboration with other Pacific regional bodies, such as the Pacific Islands Chiefs of Police (PICP), to strengthen efforts to improve coordinated regional law and justice outcomes. As requested by PICP, the Attorney-General's Department has, on behalf of PILON, reviewed criminalisation of methamphetamine across the Pacific, which was again presented at PICP's Annual Meeting in August 2019.

Legal policy development and law reform capacity

The Attorney-General's Department continued to focus on building Pacific legal policy development and law reform capacity, through its two policy training programs.

From October to December 2018 we hosted officers from Samoa, the Solomon Islands, Tonga and Bougainville for the AGD Pacific Legal Policy Twinning Program, who each completed a law reform project of significance to their jurisdiction. We also hosted twelve Pacific law and justice officers for our Pacific Policy Champions Program in October 2018. The participants

rated the programs highly, reporting an increase in their knowledge and skill base in legal policy development after they completed the respective programs. We are delivering both of these programs again in October 2019.

These courses have a multiplier effect by including a ‘train the trainer’ element, whereby participants run the policy development course upon return to their home countries. These programs also have the benefit of increasing interagency networks and linkages of law and justice officials across the Pacific. A total of 428 officials were trained in legal policy, law reform and other legal capabilities across all our projects in 2018/19 (215 female, 213 male).

Australia-Papua New Guinea (PNG) institutional partnerships

The Australian Attorney-General’s Department has been working closely with Papua New Guinea’s Department of Justice and Attorney General and Office of the Public Prosecutor on shared priorities and challenges, and supporting the capacity development of these key justice institutions, under the Institutional Partnerships Program. Through this program, Australian agencies including the Attorney-General’s Department work with Papua New Guinea counterparts to help build a strong and durable economic and strategic partnership between Australia and Papua New Guinea, which contributes to a stable and prosperous region.

In 2018-19, the Australian Attorney-General’s Department supported the Papua New Guinea Department of Justice and Attorney General to develop the legal framework underpinning Papua New Guinea’s successful hosting of the Asia-Pacific Economic Cooperation forum. We also provided training to strengthen core legal and leadership skills including for women leaders, and advised on the reform of Papua New Guinea’s drugs and extradition laws. Two prosecution advisers embedded in the Office of the Public Prosecutor provided on-the-job coaching and mentoring to PNG prosecutors, with a particular focus on family and sexual violence, fraud and corruption, and supporting provincial prosecutions.

Australian Government Solicitor pro bono work in the Pacific

In 2018-19, the Australian Government Solicitor (AGS) delivered the following pro bono legal training in the Pacific region:

- Advice writing and legal reasoning, Solomon Islands, June 2019
- Statutory interpretation, advice writing and legal reasoning, Solomon Islands, September 2019
- Advice writing and legal reasoning, Vanuatu, April 2019
- Commercial contracts and drafting, PNG, March 2019, and

- Legal reasoning, statutory interpretation and legal writing, PNG, May 2019.

Cyber Cooperation Program

Strengthening cyber resilience in the Pacific is a key goal of the Cyber Cooperation Program – a \$34 million investment over eight years (2016-2023) to support Australia’s broader international cyber engagement, which champions an open, free and secure cyberspace.

Activities in the Pacific focus on working at the Pacific regional, sub-regional (selected countries) and bilateral level. The Cyber Cooperation Program is managed by DFAT and works with a wide range of implementing partners, including Australian Government agencies (AGD, AFP, Australian Cyber Security Centre), multilateral organisations (UNODC), civil society and academic institutions.

Activities in the Pacific include:

- International cyber stability framework, including cyber law courses for government legal advisers.
- Cybercrime, including support to PILON workshops, assistance with cyber legislative reforms, support for accession Budapest Convention, cybercrime investigative training courses, supporting Pacific delegations to the E-Safety Conference and the Fifth Open-Ended Intergovernmental Expert Group on Cybercrime.
- Cyber incident response capability, including CERTS, PACSON, cybersecurity technical and analyst training
- Technology for development.

Anti-money-laundering and counter-terrorism financing

The Department of Home Affairs’ Anti-Money Laundering Assistance Team (AMLAT) and AUSTRAC have continued to assist PNG to implement the 2015 reforms to its AML/CTF system, and prepare for its Asia/Pacific Group on Money Laundering 3rd round Mutual Evaluation in 2021/22.

AMLAT has worked with PNG to effectively implement proceeds of crime legislation, develop instruments to operationalise PNG’s *AML/CTF Act 2015*, and progress the development of a countering proliferation finance regime. AUSTRAC continues to support PNG’s Financial Intelligence Unit, the Financial Analysis and Supervision Unit, to track and combat money laundering and terrorism financing.

AMLAT and the Attorney-General’s Department have continued to assist Vanuatu to effectively implement recent reforms to its proceeds of crime, mutual legal assistance and extradition frameworks, including by mentoring junior officers and supporting the

development of guidance material and internal policies and procedures that are consistent with the FATF Standards and other international good practices.

AMLAT supported an APG / Pacific Islands Forum Secretariat project to draft a set of model provisions for Pacific jurisdictions on targeted financial sanctions related to terrorism and the proliferation of weapons of mass destruction. In June 2019, AMLAT contributed to the delivery of a workshop that brought together 27 senior legal, financial intelligence and law enforcement officials to consult on the draft model provisions, and provide knowledge and tools on good practices for implementation.

In May 2019, AMLAT delivered the Women Against Money Laundering conference. The conference provided a forum for participants to reflect on and develop strategies to address the challenges they encounter working in anti-money laundering, including challenges associated with career development and progression in traditionally male-dominated sectors.

AMLAT also sponsored the participation of officers from Pacific jurisdictions at the 2018 Asset Recovery Interagency Network – Asia Pacific Annual General Meeting and Asset Forfeiture Workshop, held in Indonesia in November 2018, and will support the attendance of officers from a number of Pacific jurisdictions at the AGM and Asset Forfeiture Workshop to be held in Mongolia in September 2019.

In December 2018, AMLAT delivered training to 22 law enforcement officers in Palau under the Asia/Pacific Group on Money Laundering's (APG) Pacific AML/CTF Investigation Training (PAIT) Program.

People smuggling and human trafficking

Australia works bilaterally with partner countries and regionally through the [Bali Process on People Smuggling Trafficking in Persons and Related Transnational Crime](#) to help countries establish and implement strong law and policy frameworks to combat people smuggling, human trafficking and related transnational crime.

Australia engages law and justice officials through the *Bali Process Working Group on Trafficking in Persons* (TIPWG), co-chaired by Australia (Australian Border Force) and Indonesia. The TIPWG aims to promote more effective and coordinated law and justice responses to combat trafficking in persons in the Asia-Pacific region. Pacific Island members of the Bali Process (Fiji, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga and Vanuatu) have been active participants in TIPWG activities, including in the *Bali Process Symposium on Supply Chain Transparency* held in June 2019 in Jakarta, Indonesia.

Australia is also an active member of the *Bali Process Working Group on the Disruption of People Smuggling and Trafficking in Persons Networks*, which is co-chaired by Fiji and

New Zealand. The Disruption Working Group focuses on concrete, action oriented activities to disrupt and dismantle criminal networks involved in people smuggling and trafficking in persons in the Asia-Pacific region.

The Bali Process Regional Support Office (RSO) provides practical support and assistance to Bali Process members. Australia funds the administration of the RSO, RSO Secondments and Co-Manages the Office with Indonesia. The RSO has assisted Pacific Island members through a series of activities strengthening their ability to combat people smuggling, trafficking in persons and related transnational crime. These include in partnership with the International Organization for Migration (IOM), training key officials to deliver the RSO Standardised Induction Programme for Frontline Border Officials, Interviewing and Identifying Victims of Trafficking, use of the Regional Strategic Roadmap as an online counter trafficking tool and sharing Policy Guides on Criminalising Migrant Smuggling and Trafficking in Persons. Between September and December 2018, a PNG Immigration policy officer was seconded to the RSO to assist with the finalisation of the Policy Guide on Returns and Reintegration.

Domestically, Australia continues to maintain strong border protection policies that send a clear message that people smugglers cannot sell a path to Australia. Australia’s border protection policies aim to deter people from relying on people smugglers and will remain in place to ensure people smuggling networks are disrupted, prevent further loss of life at sea and maintain public confidence in Australia’s migration program. Our strong measures continue to ensure that no benefit is obtained from entering Australia illegally.

4. Contact information for key law and justice agencies

Agency	Key responsibilities	Contact person and position	Phone number
Attorney-General’s Department	Federal legal policies and laws	International Cooperation Unit	+61 2 6141 6666
Department of Home Affairs	National security, law enforcement and border protection	National Security and Law Enforcement Division	+61 2 6264 1111
Australian Federal Police	Policing	International Operations	+ 61 2 5126 0000
Australian Transaction Reports and Analysis Centre (AUSTRAC)	Regulatory responsibility for anti-money laundering and counter-	Domestic and International Relations	+ 61 1300 021 037

	terrorism financing		
Office of Parliamentary Counsel	Legislative drafting	First Parliamentary Counsel	+61 2 6120 1400