

## Question on Notice

No. 212

Asked on Wednesday 21 February 2007

**Ms STONE** asked the Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine) -

### QUESTION:

Will he outline how the Crime and Misconduct Commission and the Office of the Director of Public Prosecutions are helping to fight crime through confiscating the proceeds of criminal activity?

### ANSWER:

I thank the Honourable Member for her question and can confirm that both the Crime and Misconduct Commission (CMC) and the Office of the Director of Public Prosecutions (ODPP), in addition to their normal roles, are effectively helping to fight crime through the confiscation of proceeds of crime.

Under the *Criminal Proceeds Confiscation Act 2002* two separate schemes are designed to deter criminal activity by providing the State with the power to remove the financial gain and increase the financial loss associated with illegal activity.

One scheme (under Chapter 2 of the Act) is a non-conviction scheme commonly referred to as a civil confiscation scheme. This scheme allows the State to confiscate property and unexplained wealth of an individual suspected of criminal activity without the necessity of a conviction. This scheme is administered by the CMC with the Office ODPP carrying out all the legal work on behalf of the CMC.

The second scheme (under Chapter 3 of the Act) is a conviction based scheme where property used in the commission of a crime as well as property derived from the particular offence is forfeited to the State. This scheme is administered by the ODPP.

The ODPP is also responsible for the collection of Pecuniary Penalty Orders (PPOs) which are civil debts imposed on persons at conviction where they are ordered to pay to the State the proceeds of the offence for which they are being sentenced.

According to the CMC 2005-06 Annual Report, assets to the value of \$36.6M was restrained as a result of civil confiscation procedures.

This activity undertaken by the CMC and ODPP is playing a valuable role in deterring criminal activity in the State.