

ORGANISED CRIME IN *Queensland*

Introduction

This bulletin is an introductory companion to, and convenient summary of, the public version of the Project Krystal report on organised crime in Queensland. Its publication is intended to:

- increase community awareness about the nature, extent and impact of organised criminal activity in Queensland today; and
- generally explain the law enforcement strategies that have been developed to deal with the problem.

In other words, this information bulletin is designed to tell Queenslanders what organised crime is, how and how much it affects their daily lives, and what law enforcement can realistically do to counteract it.

The QCC and the QPS have made the findings of Project Krystal public as an acknowledgement of the community's right to be informed about organised crime and its consequences — without compromising ongoing criminal investigations or compromising the confidentiality of sensitive operational information. As law enforcement agencies, the QCC and the QPS recognise that organised crime cannot be effectively countered unless the community is generally better informed, and encouraged to actively participate in open discussion about organised crime issues and law enforcement strategies.

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Concepts of organised crime

The development of practical and relevant conceptual tools is a critically important first step towards improving existing organised crime control strategies and outcomes.

In the past, law enforcement efforts against organised crime focused on the 'ethnocentric' conceptual model of organised criminal activities, structures and memberships. Sometimes called the 'ethnic conspiracy theory', this model and subsequent 'pluralist revisions' (Mastrofski and Potter 1987, pp. 269–300) developed to account for the emergence of new non-Italian crime groups of shared ethnicity in the United States — for example, Japanese Yakuza and Chinese Triads — as well as other subcultural associations such as outlaw motor cycle gangs, emphasise ethnicity and shared racial identity as defining features of organised crime groups. They also tend to overstate the role played by corruption in organised criminal activity.

According to Greaves and Pinto (1993, p. 218), other conceptual models developed on the basis of social systems analysis or organisational theories and structural typologies have proved to be just as flawed and unhelpful in understanding the nature, structure, memberships and economic impact of organised crime groups and new activities.

The assumption of structured and enduring organisations, comprising criminal identities that share a common ethnicity or ethos*, has driven many past strategic decisions, resource priorities and allocations aimed at organised crime. While such an approach helped to identify the nature of the organised crime threat, it indicated significant differences between patterns and trends observed locally and those evident in other States and overseas countries. As a result, the law enforcement community has come to recognise the

limitations of the traditional stereotypes of organised crime that have dominated past decades.

It is now generally accepted that an operational approach underpinned by a narrow focus on ethnic group associations does not fully take into account the complexity of organised crime, the diversity of participants, and the fact that the competitive advantage which derives from ethnicity can dilute over time. Even where there is evidence of some 'group' association, on the basis of shared ethnicity or subculture, the involvement of others not directly affiliated through ethnicity has been increasingly evident. The reason for this is simple. Criminal enterprises are not motivated by ethnic affiliations, they are merely facilitated by them in certain cases. The underlying purpose of organised crime is invariably financial gain.

There is increasing evidence of greater diversity, more interaction and partnerships between organised criminal 'groups' and individual identities, in an environment of unprecedented mobility and internationalism, variety and profitability.

The response of law enforcement to organised criminal activity is evolving within this same context. Law enforcement acknowledges the need to develop new strategies to examine the economic and commercial, in addition to the organisational relationships that drive organised criminal activity.

It is equally important that public perceptions of organised crime shift from the ethnocentric, Mafia-style concepts fuelled by movie and television representations, to one that more accurately reflects the real nature of organised crime in contemporary Queensland.

*Ethos refers to those groups such as outlaw motor cycle gangs, that are not distinguished along ethnic lines, but nevertheless share a distinct culture or subculture, lifestyle or belief system.

Statutory definitions

The *Crime Commission Act 1997* characterises organised crime as criminal activity involving:

indictable offences punishable upon conviction by a term of imprisonment not less than seven years; and two or more persons; and substantial planning and organisation or systematic and continuing activity; and a purpose to obtain profit, gain, power or influence.

Organised crime is defined in the *Police Powers and Responsibilities Act 1997* as:

an ongoing criminal enterprise to commit serious indictable offences in a systematic way involving a number of people and substantial planning and organisation.

A market-based approach

Project Krystal was established to assess the organised crime environment in Queensland. It has applied a comprehensive risk assessment methodology that provides a dynamic reference point to help allocate limited investigative resources and assist goal setting and strategic planning.

The project looked beyond traditional models and assumptions of organised crime to see it as a dynamic commercial activity. It assessed organised criminal activity in Queensland in the context of 'the field of transactions materially connected to markets in illegal goods and services' (Bersten 1990, p. 53) or as the 'big business of the illegal economy' (Dickie and Wilson 1993, p. 220), rather than as an enduring rigidly structured hierarchy or 'ethnic conspiracy'.

Observed from this standpoint, organised crime becomes 'a function of the market for illicit goods and services rather than a function of the illegal groups providing them' (QPS Illicit Market Scan Forum Proceedings). A market-based analysis acknowledges that organised crime is a business, albeit an illegitimate one, and like many other businesses is characterised by the pursuit of financial gain, power or influence.

The law enforcement community represents the regulatory component of that 'business' environment and, as such, can influence the markets within which the illicit businesses operate. The role of law enforcement is to protect the interests of stakeholders such as legitimate businesses, investors, government and the wider community.

The application of a broader market view captures every 'player' in the market regardless of any group affiliations. It also acknowledges the unstructured, dynamic nature of organised crime in Queensland, and provides practically useful information about the trade in illicit commodities and services.

Just as importantly, a market based approach reflects a recognition that the relationship between society and organised crime is not an entirely antagonistic one, and may, as in the case of the drug trade, even be symbiotic.

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The ethnocentric focus in Australia

The traditional ethnocentric approach to investigating organised crime in Australia originated in the 1960s. In 1964, an American Federal Bureau of Investigation agent reported that a secret society of Calabrian origin, the 'N'drangheta', existed in New South Wales, Victoria, Queensland and South Australia. The agent warned that if this society was left unchecked, it was capable of diversifying and linking with groups operating in Italy and the United States.

No conclusive evidence confirming the existence of this alleged organisation has since been uncovered. It is now accepted that the conclusions made in this assessment were incorrect, and that indicators developed for the American context were incongruously applied to the Australian criminal environment.

The 1964 report did however reflect a prevailing belief in the danger of overseas organised crime groups infiltrating Australia. This belief raised consciousness of the potential risk of organised crime at a time when several Royal Commissions, from 1973 to 1983, were examining this and related issues. The deliberations of

these inquiries shaped the responses adopted by Australian law enforcement agencies to organised crime. Most of the inquiries dealt with organised criminal activities not associated with a particular ethno/ethos specific crime group. Nevertheless, law enforcement efforts continued to focus on the assessment of group methodologies. It was thought that by learning about how such groups networked, planned, organised and undertook their activities, law enforcement agencies would be better equipped to respond.

In 1994, the Attorney-General's Department *Report of the Review of Commonwealth Law Enforcement Arrangements* identified eleven 'ethnic/ethos' groups involved in alleged organised criminal activity in Australia. Fortunately law enforcement's focus on the ethnicity and/or ethos of alleged organised crime groups has had the positive side effect of dispelling many of the myths that were gaining prominence in the 1960s and 1970s concerning the nature of Australian organised crime.

The Risk Assessment Matrix

A risk assessment methodology has been applied to the Queensland organised criminal environment. This methodology integrates the traditional approach to assessing organised crime with new competencies, techniques and strategies developed in response to contemporary organised crime issues. Within this 'business of crime' environment, the methodology identifies both the sources of risk and the attributes of

the criminal identities and groups being assessed. Risk is determined by considering the intensity of the threat, how likely it is to occur, and the seriousness of the consequences should it occur. Integral to this process is the identification of those at risk and all sources of such risk.

The Risk Assessment Matrix (RAM) provides risk ratings for illicit markets, whether they are commodity or service based (see p. 17).

Case Study

In the early 1990s a New Zealand national was the principal in a major, well organised, large scale cannabis production and distribution syndicate in north Queensland. The organisation began as a partnership between the principal and a local resident who helped establish the cannabis enterprise. The activity then expanded to include a core of trusted associates, mostly New Zealand nationals. This clique then employed a large number of persons to carry out the various functions required by the cannabis enterprise, such as crop sitting and packaging and storage of the harvested crop.

Despite a major police operation that led to the arrest of the principal and a large number of criminal associates, the main targets continued their close criminal associations while awaiting committal to trial for these offences. These associations enabled them to continue and diversify their operations into the manufacture and distribution of amphetamines. The proceeds of the syndicate's cannabis activities had not been identified or seized, giving the participants the financial capacity to maintain and diversify their activities.

The diversification of drug activity was achieved by cultivating associates already involved in the amphetamine trade. This network of contacts was used to obtain credibility and a base from which to gain and expand a share in this drug market. These contacts helped acquire the services of amphetamine cooks, persons to obtain precursor chemicals, and distributors.

The persons involved in this operation entered the amphetamine market with the same attitude witnessed in the initial cannabis operation — to establish and then expand their criminal activities.

The syndicate was able to modify and adapt its activities to counter police investigations and any other external barriers. The organisation was transient in nature, making it difficult for investigative activities. The organisation actually improved its illegal operation by using its experience of police methodologies and strategies — such as by employing anti-surveillance techniques — to evade detection.

Conclusions:

- The syndicate was loosely structured, with membership altering depending on the skills and availability of criminal associates.
- It operated as a 'business', purchasing core or specialist skills where needed.
- The syndicate adapted its activities in response to changes within the criminal environment — threats such as police surveillance and operations, and opportunities such as the profitability of the amphetamine market.
- Its activities demonstrated the limited impact of police intervention on the syndicate's willingness and ability to maintain its activities.
- The case illustrated the need to confiscate the proceeds of crime, in order to circumvent their re-investment in further criminal activity.

Source: QPS Operations RAPID, BROKEN PROP II and BROKEN PROP III.

Nature and extent of organised criminal activity in Queensland

Project Krystal found that organised crime, within the meaning of the Crime Commission Act, is widespread and firmly entrenched in Queensland. However, there is no evidence to suggest the existence of one or more principals controlling organised crime in Queensland. Instead, there are a large number of opportunistic individuals, and groups of individuals, operating at varying levels of complexity within a diverse marketplace. They may not be 'Mr Bigs' in the traditional sense, but they are 'Mr Big Enoughs'.

The emerging picture of modern organised crime networks operating in this State suggests that most are actually very flexible, loosely structured, relatively short term, essentially entrepreneurial associations. Many of these syndicates are created and dissolved according to the needs of the particular criminal activity and are involved in generally low risk, high yield, demand driven, usually tax free, commodity based, illegitimate commercial enterprise.

The basic structure of organised crime 'groups' tend to reflect the way illegal markets function and react to external forces and changing conditions to maximise profit and minimise risk. Rather than mimicking the sinister corporate-like hierarchies of Mafia-style syndicates of past eras, organised criminal activity in Queensland tends to more closely resemble a 'patron-client relationship, a business relationship, a partnership, or a network' (Mastrofski and Potter 1987, p. 275).

At their most sophisticated level, these enterprises are run by ambitious, profit oriented career criminals who rapidly accumulate more wealth than they could through lawful endeavours. Members of these networks collaborate to profit from the trade in prohibited commodities and services such as illicit drugs, prostitution, 'black money', stolen property, and fauna and flora trafficking.

Crime groups rapidly adapt and respond to changing market conditions and social, economic, and technological circumstances in much the same way as their legitimate counterparts do. The best example is found in the illicit drug market, where the stages of production, importation and distribution are often decentralised and performed by persons with special expertise and knowledge to maximise the efficiency of the criminal operation and minimise the risks of detection. A recent QPS assessment of the nature of Queensland's heroin trade underlined the dynamic nature of the market and concluded that:

as with legitimate enterprises conducting business in a highly turbulent environment, illegitimate enterprises in the heroin industry are decentralised, small in size, extremely flexible and able to respond quickly to market forces. The Queensland heroin industry is no different. Enterprises are extremely fluid, have little hierarchy and are able to change remarkably in an extremely short period of time. This makes law enforcement's ability to disrupt organisation [sic] and networks extremely difficult to achieve.

Most organised criminal activity in Queensland is concentrated on the eastern seaboard, particularly south east Queensland.

Social impact of organised crime

In addition to the direct law enforcement, court, corrective services and victim-of-crime compensation costs, organised criminal activity in general, and drug trafficking in particular, impose many other burdens on the community. These include the harm and collateral social costs associated with the use and abuse of illicit drugs such as family disintegration and wider social deterioration. Other costs include the impact on the state's health and welfare systems, drug treatment rehabilitation and education programs and a range of harm minimisation schemes.

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The cost of drug-related crime in Australia is high. The estimated social and economic cost of illicit drug use Australia-wide is \$1.6 billion a year (Collins and Lapsley 1996). The cost to society in terms of criminal justice services related specifically to illicit drugs was estimated to be more than \$450 million in 1996, and of that, at least one quarter is consumed by law enforcement.

The health costs associated with drug abuse are also significant. Recent studies show that every kilogram of heroin imported into Australia costs the community more than \$1 million in direct health-related costs, before taking lost revenue or other social costs into account. Hospital data since 1995 have shown an increase in the number of people being admitted for opiate (not exclusively heroin) type dependency, particularly in the 15-25 year age group.

In terms of the impact of other illicit drug use, the National Drug and Alcohol Research Centre (NDARC) has suggested that should a pattern of regular cocaine use emerge in Australia, it would have potentially far greater implications than heroin. A cocaine habit is more expensive, costing up to \$1200 to \$1500 per day instead of \$300 per day for heroin. People tend to use cocaine up to three to five times more frequently, or between 12 and 15 'hits' a day compared with an average of three daily hits of heroin. Intravenous cocaine use is also associated with higher rates of HIV infection (NDARC 1998).

The National Drug Strategy Household Survey (NDSHS) 1995 reported a 100% increase in people entering treatment for amphetamine abuse in 1991 compared to 1990, and a further 50% increase in 1994 over 1993 (Drugs and Crime Prevention Committee 1997, p. 22). It is projected that the trend towards injecting amphetamine will have the effect of opening the gateway to increased heroin use.

The costs of drug-associated crime, such as property theft to finance illicit drug addiction, are also passed on to the general community through increased motor vehicle and home insurance premiums. Similarly, money laundering and other financial crimes such as fraud and tax avoidance lead to increased costs for the consumer in the form of higher prices for goods and services, and the additional burden to the taxpayer.

Financial crime also has a significant, although often unperceived, impact on the broader community — particularly because of the substantial amounts of money involved. The QPS estimates that in excess of \$100 million is obtained by means of fraud each year in Queensland. The effects of fraud go largely unseen as funds lost are recovered from insurance companies, or are absorbed by consumers in the form of higher prices and charges for goods and services.

Billions of dollars are laundered in Australia each year. The greatest threat from money laundering is its potential to adversely affect local economies and financial systems. The laundering of criminal proceeds also permits the conspirators to avoid payment of state and federal taxes and charges, which increases the burden on all taxpayers.

Legitimate businesses cannot compete on even terms with organised criminals using legitimate business fronts. The organised crime-backed business does not need to show a profit for a long period, and can use criminal means — for example bribery, extortion and corruption — to protect markets and gain a competitive edge over legitimate competitors.

The market-based concept applied

To develop a more comprehensive picture of organised crime in Queensland, it is necessary to look at the criminal environment in terms of the market dynamics of particular commodities or core activities. This includes examining the size of the market, consumer characteristics, market trends and market participants.

Illicit drugs

There is a significant trade in four types of drugs in Queensland's illicit drug market — heroin, cocaine, amphetamine and cannabis.

● Heroin

Description (McCoy 1980, pp. 18–19)

Heroin (diacetylmorphine) is a derivative of the opium poppy, *Papaver somniferum*, and is the result of a chemical bond between morphine and acetic acid. Opium sap is harvested from a bulb produced by the poppy plant and boiled in a chemical solution to extract morphine. The morphine is then ready to be manufactured into heroin via a four step chemical process.

There are two products of this staged refining process. Number 3 heroin or 'rock' granules are 50–80% pure heroin and are commonly crushed and mixed with water for intravenous use, or 'smoked' by inhaling the fumes produced when it is heated. A final chemical treatment produces the white powder known as No. 4 heroin, which is the most common form of heroin in developed countries.

Effects

Once in the bloodstream, heroin is broken down into morphine, giving users a pain relieving effect. Injection is accompanied by an intense 'rush' of euphoria that generally fades within minutes. However the narcotic effects — drowsiness and sleep — last for three to four hours. Short term effects include nausea, vomiting, shallow breathing, itching and constipation, while long term abuse causes a range of health problems such as collapsed veins, abscesses, heart and lung problems, tetanus, Hepatitis B and C, HIV and overdose.

Social history (McCoy 1980, pp. 15, 19–24)

The discovery of heroin in 1874 by an English medical researcher was the result of a search for a non-addictive substitute for morphine. In 1898 the Bayer pharmaceutical company of Germany coined the name 'heroin' and began production of the drug, supported by mass marketing and an international advertising campaign. Heroin was originally promoted as a 'non-addictive panacea for infant respiratory ailments' (McCoy 1980, p. 15), and in 1906 the Australian Medical Association approved the general use of heroin as a replacement for morphine.

It was not until the 1920s that legislation controlling the sale of narcotic drugs was introduced, following the discovery that heroin was far more addictive than morphine. The prohibition of heroin gave rise to criminal syndicates seeking to meet an established demand for it in the marketplace.

Australia's heroin problem was exacerbated during the 1970s as a result of a concerted push by syndicates based in South East Asia to acquire new export markets at the end of the Vietnam conflict. Australia provided fertile ground for the mass marketing of heroin, with both a pool of potential consumers and avenues to satisfy the market demand.

The demand for heroin in Queensland remains high. It is estimated that there are 10 500 regular heroin users in the State, requiring an estimated 325 kilograms of uncut heroin per annum to provide the 750 kilograms of street purity heroin needed to satisfy their use alone. These indicative figures are a conservative estimate of the size of the heroin market in Queensland.

Compared with the estimated 750 kilogram annual supply of street quality heroin, a total quantity of 6.37 kilograms, mostly at street purity, was seized in Queensland during 1997–98 compared with 9.6 kilograms 1996–97. This recovery rate represents approximately 0.85%–1.3% of the estimated street supply of heroin. It is evident that if the impact of law enforcement were to be measured in terms of seizures, little impact is being made on the market.

Based on current market prices, the amount of street quality heroin required to service regular users alone has the potential to generate in excess of \$400 million per annum in Queensland. However, heroin dependency is estimated to cost users an average of \$143 per day. Assuming this is similar to the daily

expenditure of all habitual heroin users, this would equate to up to \$548 million spent per annum on heroin by Queensland's regular users, or \$52 195 spent annually by each user.

The price of heroin has been relatively stable in Queensland, although interstate trends indicate some price falls. A gram of heroin on the Queensland market cost between \$450 and \$700 in April–June 1997 compared with \$400–\$700 in July–September 1996.

While overseas trends are not always reproduced locally, heroin appears to be experiencing a resurgence in popularity in the United States, particularly among the middle to upper classes. This has been attributed in part to an increase in purity — giving users an increased sense of safety as the drug is less diluted, and the perceived health risks associated with long term dependence are lower.

Developments in other Australian states suggest an increase in the practice of 'chasing the dragon', or inhaling the smoke of burning heroin of good quality. While the majority of heroin users inject, an increase in heroin 'smoking' by affluent, professional, middle and upper class recreational users has been noted in Sydney and Perth. This practice enables users to more effectively conceal their drug habit because they are able to finance use from their personal resources, and it avoids the health dangers, stigma and visibility of intravenous use.

In another disturbing shift, heroin appears to be losing some of its social stigma and acquiring a certain respectability among younger drug users as a result of sometimes glamorous multimedia and popular culture representation. While the overall prevalence of heroin use in Australia remains unclear, some studies have found a decrease in the average age of heroin users.

A significant importation development has been the increased purity of heroin coming into Australia, (approximately 85% pure), and this trend is also evident in the quality of heroin being distributed in Queensland (50–57%). It is estimated that 80% of the total of 130-plus kilograms of heroin seized in Australia in 1997–98 came from South East Asia, and in particular the 'Golden Triangle' (Burma, Laos, Thailand, north western Vietnam and south western China).

Queensland is principally a consumer state for heroin. It is estimated that two thirds of heroin coming into Australia is imported into New South Wales for transport to other distribution centres including Brisbane and major regional centres like the Gold Coast and Cairns.

Once heroin enters the Queensland market, membership of internal distribution networks is increasingly being determined by the skills and contacts of individual market participants. Based on current intelligence, it is evident that trade in heroin within the Queensland illicit drug market is being conducted by a diverse range of distributors, some highly organised and others more opportunistic.

The diversity of market participants is ever increasing, but notably includes persons of Romanian, Anglo-Saxon and South East Asian–Australian background, as well as members of outlaw motor cycle gangs (OMCGs). Since the early 1990s, South East Asian–Australian criminals, in particular, have expanded their market presence in Queensland. These traffickers generally obtain their competitive edge by exploiting their ethnic ties and family connections.

South East Asian–Australian syndicates operate principally in the south east corner of the state, where they have gained increased market share, but are also establishing distribution networks in other parts of the state. They are known to use extortion and standover tactics to facilitate the establishment of new criminal networks in targeted regional markets. This includes coercion of local families to support the new illicit enterprise, and the recruitment of local Caucasian dealers.

While some local distributors are linked to importers and wholesale distributors, who may in turn be linked to overseas organised crime groups, there is no evidence that heroin distribution in Queensland is being undertaken by the same overseas organised crime groups.

● Cocaine

Description (ABCI 1997, p. 79)

Cocaine hydrochloride is a white crystalline alkaloid powder manufactured from the leaves of the coca plant (*Coca erythroxylon* Lam). Chemical processing breaks the coca leaves down into a paste, to which hydrochloric acid is added to yield the cocaine hydrochloride compound. A 'freebase' form such as crack cocaine can be produced through further processing.

Cocaine is commonly administered nasally. It can also be liquified for intravenous use and smoked by inhaling the vapour, which produces a heightened effect.

Effects

Cocaine is a central nervous system stimulant that produces effects similar to the hormone adrenalin, including exhilaration, sharpened alertness, sexual arousal and sensory awareness. Cocaine in large doses — which are often necessary for addicts because the desired effects wear off quickly — can cause anxiety, paranoia, hallucination, violent behaviour and death from brain haemorrhage, heart attack, stroke or kidney failure.

Social history

Cocaine was invented in 1862 by German scientists as a treatment for opium addiction and alcoholism. The United States proscribed the use of cocaine in 1916 when its addictive properties became evident (ABCI 1997, p.80).

Cocaine has been imported into Australia since the end of the 1880s when it was used and heavily promoted in patent medications. It was not until the 1930s that cocaine was banned in Australia, with the exception of prescription use. Since that time, there has been an increase in 'black market' distribution and the involvement of organised crime elements, although Australia reportedly stamped out cocaine trafficking in the 1930s (McCoy 1980, p.18).

'Snorting' cocaine is generally preferred by recreational users from middle and upper class professional backgrounds, while injecting tends to be preferred by regular users who often use a variety of illicit drugs.

Law enforcement reports indicate cocaine use in Queensland increased during 1997–98, particularly on the Gold Coast, and in the Cairns/Port Douglas area. Moreover, during 1997–98 Queensland was the second preferred point of entry for detected cocaine — with six detections, all in excess of one kilogram. This figure is small compared to the 39 detections in Sydney (ABCI 1999, pp. 76–78) but tends to corroborate the reported increase in demand for cocaine in Queensland.

The Illicit Drug Reporting System of the National Drug and Alcohol Research Centre (NDARC 1998) is examining heroin, cocaine, amphetamine and cannabis use, and acts as an early warning system for illicit drug problems in Sydney, Melbourne and Adelaide. The reporting system found that cocaine use is increasing, particularly in Adelaide and Sydney, where one third of illicit drug users used cocaine in 1998.

The majority of cocaine distributed in Australia comes from South America. It is predominantly imported into Sydney and transported to various distribution centres. Some Queensland dealers are reportedly offering 'two for the price of one' deals to encourage cocaine use (ABCI 1999, pp. 76–78).

While recent trends in cocaine use in Australia suggest an increase in intravenous application, its popularity among users in the dance and club scene, particularly through non-injecting means, has also noticeably increased (Texas Commission on Alcohol and Drug Abuse 1997, p. 16). This observation appears to be consistent with results of the recent study conducted by NDARC that found that cocaine use by injection had increased eight-fold in the past year. In the three southern states covered by the study, 17% of drug users interviewed reported daily use and 81% reported using cocaine at least once.

More injecting drug users are experimenting with cocaine because it is now cheaper, of greater purity and more readily available than ever before. For example, a cap of cocaine (weighing 0.1–0.3 gram) on the Sydney market cost \$50 in 1998 compared with \$80 in 1997. This represented a much more significant drop in price than for heroin (down from \$30 to \$25 a cap) over the same period. In Queensland, the price of a gram of cocaine fell from approximately \$350 in 1995–96 to approximately \$200 in 1996–97, and \$130–\$200 in the first quarter of 1998.

Despite the increase in cocaine detection in Queensland and falling street prices, it is assessed that the demand for cocaine in Queensland is not being matched by available supply. It is likely that the fall in price is atypical — in that it reflects a desire by distributors to create a broader market for cocaine in Queensland (as does the 'two for one' offer) — rather than being a reflection of abundant local supplies of the drug.

The reduced price of cocaine and increased demand, particularly among injecting drug users and other drug users who may be seeking an alternative, points to a likely increase in cocaine importation activity in future. It is anticipated that Queensland will follow the national trend.

● Amphetamine

Description (ABCI 1997, pp. 50–51)

The drugs of the amphetamine group, including methylamphetamine and amphetamine sulphate, are chemically similar to the naturally occurring stimulant adrenalin and affect the central nervous system.

Amphetamine ('speed') comes in many forms. Amphetamine sulphate ranges from white, yellow or brown tablets to capsule or liquid forms, while methylamphetamine hydrochloride is a transparent crystalline substance, often coloured pink, green or blue. Methylamphetamine hydrochloride can also come in powder form and is usually dissolved and injected.

Amphetamine is generally injected intravenously; however it can be administered orally or by inhaling the heated vapours of crystalline forms. 'Ecstasy' or methylenedioxyethyl amphetamine (MDMA) is related to the amphetamine group and can be found in powder, tablet or capsule form that is generally taken orally.

There are many methods, of varying complexity, for manufacturing amphetamine, and underground manufacturers are regularly inventing new chemical processes to circumvent restrictions on precursor chemicals. The most common manufacturing method in Queensland uses the chemical reduction of pseudo-ephedrine (found in over-the-counter influenza preparations) as a precursor.

Effects

Amphetamine is often crudely made in backyard laboratories, hence its effects can be unpredictable. Amphetamine users experience increased alertness, feelings of self-confidence and well-being, higher energy levels, talkativeness, insomnia, agitation and panic attacks. Prolonged use causes memory loss, inattentiveness, severe depression, anxiety, hostility, stroke, heart failure and a psychosis similar to schizophrenia. Ecstasy is a chemical mixture of amphetamine and hallucinogens, which in large doses can cause hallucinations, irrational behaviour, convulsion and death. The effects of long term use include high blood pressure, rapid heartbeat and brain damage.

Social history

Amphetamine was first manufactured in 1887, but was not mass produced until 1932. It was initially used as a treatment for asthma, until its proscription in the United States in the 1950s. It was re-introduced in the United States and Australia in the 1960s as a prescribed appetite suppressant, before again being banned in the 1970s.

The availability of amphetamine increased in Queensland during 1996–97 and there continues to be consistent demand for the drug. Major distribution points for amphetamine include nightclubs and other businesses.

While the purity and quality of amphetamine in Australia are very low, the National Drug Strategy 1995 household survey reported amphetamine as the second most widely used illicit drug in Australia, after cannabis. Research has shown that amphetamine users are predominantly young adults, among whom use is becoming more frequent, and there has been an increase in poly-drug use, with a preference for injecting. There has been a reported trend of injecting amphetamine users taking up heroin because of the lower price and higher quality of heroin compared with amphetamine.

In 1998 one 'street' gram of 'speed' sold for between \$50 and \$100 in Brisbane. Local agencies have also reported an increase in the use of 'base' or 'oil' amphetamine that is of higher purity. Base sells from between \$40 and \$80 a 'point' (there are approximately 16.7 points per gram).

Amphetamine in Australia is primarily manufactured domestically. During 1997–98, 58 per cent of the 95 clandestine laboratories detected Australia-wide were in Queensland. Most were 'box labs' that are usually the size of a suitcase and easily moved to avoid detection. They are easily set up and dismantled, reducing the time of a 'bake' from several days to a few hours. Intelligence suggests box labs sell for between \$10 000 and \$20 000. (ABCI 1999, p. 66).

Based on currently available information, local production of amphetamine has been facilitated by the relative ease of availability of precursor chemicals. Queensland amphetamine producers commonly use over-the-counter influenza preparations containing pseudoephedrine as a precursor. These precursor chemicals are obtained in a number of ways including the purchase of chemicals from interstate, 'pseudoephedrine runs' by truck drivers and purchase via the Internet. In one particular Queensland operation, targets drove from Brisbane to Cairns and back, stopping at pharmacies en route to purchase products containing pseudoephedrine.

Because of the complex nature of amphetamine production, some level of organisation is necessary. This is generally the province of a group of people, each with relatively defined, though sometimes overlapping, roles giving rise to the impression that organised crime groups are involved. Current intelligence, however, suggests that it is more likely to be a group of individuals with particular skills and similar motivation who join together for the production of amphetamine. In other words a group of criminals rather than a criminal group.

The recruitment of persons with specific skills (such as 'cook', precursor buyer, money launderer and dealer)

by criminal networks for amphetamine production and related activities has been noted. Amphetamine 'cooks' appear to be well known to each other and move between laboratories regardless of who is controlling production.

Numerous intelligence assessments have linked outlaw motor cycle gang members with the production and distribution of amphetamines. However, recent assessments have concluded that involvement in various phases of the production process is opportunistic in nature, predominantly involving loosely networked individuals. Members and associates of OMCGs are confirmed distributors of amphetamine across the state. While OMCG members are prominent participants in the amphetamine market in Queensland, they neither monopolise nor control it. The ease of entry into the market by other participants with no known OMCG associations is indicative of the diversity of this market.

While legislation affecting the availability of precursor chemicals is in place in Queensland, some precursors are being illegally manufactured, resulting in variable but generally lower quality product. This increases the health risks to users and makes detection more difficult. Some users are now turning to other more harmful drugs, such as heroin, and as a result demand is likely to increase for higher quality imported amphetamine and synthetic drugs such as ecstasy, cocaine and LSD. Alternatively, the production of high grade amphetamine may become the sole province of organised crime as precursor chemicals become harder to obtain — particularly if there is unmet demand in the market.

● Cannabis

Description (ABCI 1997, pp. 14-15)

Cannabis leaf, hashish or cannabis resin, and hash oil are all derivatives of the plant *Cannabis sativa*. The active chemical in the plant, tetrahydrocannabinol (THC) is found in various concentrations according to the form of the drug (oil is the most potent form) and the type of plant it is derived from (hybrids such as 'skunk' have a higher THC content).

Cannabis leaf is a tobacco-like product produced by shredding the leaf or flowering tops of the cannabis plant, while hashish (resin) and hash oil are produced by extracting and refining the plant's resins. Cannabis resin is generally formed into a light brown or black cake, while the oil is viscous, and golden to black in colour. The drug is commonly smoked, either in a 'cigarette' ('joint') or in a water pipe ('bong'), and can be baked into food or distilled into a wine-like liquid.

Effects

Cannabis commonly induces a general feeling of relaxation and well-being. It can produce intense sensory stimulation and sensory disorientation, as well as negative emotion, panic, delusion and hallucination. Cannabis can increase the heart rate by up to 50% for several hours and affect blood pressure. Habitual and heavy users may suffer dependence.

Social history

In Australia, cannabis has been subject to strict controls for half a century, but did not have widespread popularity until the 1960s and the rising influence of youth 'counterculture'. Australia's cannabis laws were derived from the League of Nations conventions of 1925 and 1931, aimed at limiting opium and heroin production, and it is alleged that the prohibition on cannabis was 'a secondary consequence of international efforts to control the production of opium' (Advisory Committee on Illicit Drugs 1993, p.6). Queensland legislation controlling cannabis possession or supply was introduced under the *Health Act* of 1937.

According to the National Drug Strategy 1995 household survey, cannabis is the most widely used illicit drug in Australia. Recent Australian studies have indicated an increase over the past decade in the number of Australians using cannabis, and a decrease in the age of first use (ABCI 1999, p. 21). In 1993 it was conservatively estimated that approximately 24 000 Queenslanders used cannabis daily, around 84 000 used it weekly, and another 155 000 were occasional users (Advisory Committee on Illicit Drugs 1993, p. 32). Queensland's street cannabis market was conservatively estimated to be worth \$632 million in 1993, derived from a crop worth approximately \$283 million annually; it was thus the second most valuable agricultural commodity in Queensland after sugar cane (*ibid.*, p. 59).

The nature of the cannabis market differs from that of other drugs in that there appears to be a growing acceptance of a certain level of cannabis use in the community. Certainly its use is prevalent across all strata of society, including among young people.

In 1998 a 'deal' of leaf (approximately 1 gram) could be purchased in Brisbane for \$25, and a fully mature plant was worth approximately \$2000 (Davey and Davies 1998, p. 6).

The vast majority of cannabis resin in Australia is imported, usually from the Pakistan-Afghanistan region and sent via transit points including the United

Kingdom. Imported cannabis leaf comes from a variety of countries including South Africa, the Netherlands, the United Kingdom, the Philippines, Thailand and India — often through parcel post.

Domestic production and sale of cannabis are part of a large scale industry in Australia, and particularly in Queensland where climate and soil fertility are extremely conducive to cannabis cultivation. Hydroponic cultivation is also becoming more common as it produces a better quality crop, up to four times a year. A number of sophisticated indoor cannabis crops have been discovered in Queensland and there were increasing reports of hydroponic and indoor cultivation of cannabis throughout Queensland during 1997-98.

The Criminal Justice Commission (CJC) concluded, from its investigations into cannabis production and distribution in Queensland between 1991 and 1998, that the extent of cannabis cultivation activity is not likely to alter, nor will the continued involvement of a diversity of participants.

The involvement of persons of Italian origin in cannabis production is well documented and was assessed by the CJC in 1995 as entrenched and enduring. However, it has become clear that while persons of Italian origin remain participants in this type of criminal enterprise, they do not have a monopoly or controlling interest, nor do their networks resemble the traditional hierarchical Mafia-style organised crime groups. Cannabis production is also undertaken by persons of other ethnic origins, OMCG members, semi-organised family operations and organised networks with a diverse and dynamic membership.

The development of hydroponic methods for cultivating cannabis has made it easier for people to grow cannabis for personal use. It may also have created an opportunity for individuals to work together to produce larger quantities for personal use and profit (ABCI 1997, pp. 21, 24).

● Other drugs

Stimulant and depressant drugs

There is a wide range of chemically manufactured stimulant and depressant drugs, commonly referred to as 'designer drugs', available on the illicit market in Queensland. These include, but are not restricted to, LSD and MDMA (commonly known as 'ecstasy'). While most amphetamine and methylamphetamine are locally produced, all other synthetic psychotropic drugs are imported from overseas.

LSD comes primarily from the United States and Europe, often carried by backpackers in exchange for the cost

of their trip. Ecstasy is predominantly imported by persons from various European countries, who connect with expatriates who distribute the drug in Australia. The low purchase prices in Europe and the relatively high prices on the Australian market make importing ecstasy an attractive and lucrative criminal business opportunity. In Queensland there is an established supply of ecstasy and slightly falling market prices: \$20–60 per tablet with purity ranging from 35 to 70% (Texas Commission on Alcohol and Drug Abuse 1997, p. 12).

These types of drugs are predominantly distributed through nightclubs and other licensed premises. Venue management and staff, including security providers, are

Designer drugs are predominantly distributed through nightclubs and other licensed premises ...

sometimes part of the same subculture as users. As a result, law enforcement agencies and other industry stakeholders are

concerned that the use of designer drugs is not only broadly accepted by patrons of nightclubs, but often tolerated by venue operators. These drugs are particularly prevalent on the Gold Coast and Brisbane, although ecstasy in particular is also becoming more readily available in northern Queensland.

Steroids

The sale and abuse of steroids are also becoming an increasing concern to the community. They are commonly associated with performance enhancement in the sporting arena and for nightclub 'bouncers', but there is now considerable disquiet about the mental and physical health impacts of steroid use, particularly by young people.

The report of the Federal Government's Model Criminal Code Officers Committee advocates that persons who traffic in anabolic steroids should be dealt with in the same way as heroin dealers. The report notes that the illicit trade in anabolic steroids is not treated as a criminal offence in most states, including Queensland, despite the risks to the mental and physical health of users.

There are indications of an increasing illicit trade in steroids, and a growing trade in veterinary steroid drugs repackaged and sold for human consumption. These substances have the same potential for criminal profit and the development of black market structures as for any other drug for which demand is high and supplies are limited. However, there is little currently known about the extent of these activities in Queensland.

Pharmaceuticals

There have been several recent media reports highlighting the incidence of prescription drugs being traded on the illicit drug market. The most commonly abused types of narcotic analgesics are benzodiazepines, morphine, codeine, pethidine and methadone, and the drugs Ritalin and dexamphetamine. Apart from the risks these drugs pose if taken in significant doses or concurrently with alcohol, they are reportedly being taken as substitutes for heroin and as a poly-drug supplement to amphetamine.

In many cases the drugs are obtained legally by prescription, although the prescriptions may be obtained from multiple practitioners (ABCI 1999, pp. 86–88). There is no evidence of an organised criminal element in this niche market, or of a black market in the drugs.

Drugs and licensed premises

Although the majority of persons involved in the nightclub industry operate in a legitimate and ethical fashion, a minority of persons involved in the industry have been repeatedly linked to drug trafficking, prostitution and money laundering activities. While the sale of liquor is not a contributing factor to organised criminal activity, the venues in which it is consumed are attractive to criminals involved in organised crime.

A recent assessment indicated a diverse range of organised criminal activities occurring within and around nightclubs. A number of drugs are distributed

through nightclubs and other licensed premises throughout Queensland, and nightclubs have been identified as the best early warning indicator for drug consumption.

The enormous potential for money laundering has also been highlighted in relation to licensed premises, and in particular nightclubs. Difficulties associated with examining this problem include the high cash turnover nature of the business, and the difficulty in monitoring and reconciling records pertaining to patronage and liquor sales.

Property crime

● Break and enter, burglaries

Australia is reported to have the highest rate of residential 'break and enter' among industrial nations, making property crime one of our foremost law enforcement problems. The most recent crime and safety survey in Queensland indicates that housebreaking, burglaries and theft from homes (44.3%) are the major perceived neighbourhood problem. A more recent national study found that respondents rated home burglary (68%) and car theft (58%) as the two highest risks of six selected crime categories.

1997-98 'break and enter' statistics for Queensland show that:

- reported offences against property per 100 000 population in Queensland have increased approximately 150% since 1974-75 at an annual average of 4%;
- the largest proportion of property offenders are young males aged between 15 and 19, with very few over 30 years of age.

It would appear that most property offences are opportunistic rather than organised in nature. However it is strongly suspected that a considerable proportion of property theft is committed to maintain drug habits. Although there are no Queensland studies to substantiate or reject this assumption, a 1998 New South Wales study found that 70% of respondents traded stolen goods for drugs, the nexus being more constant and excessive for those using heroin (Stevenson and Forsythe 1998. P. 1).

The study found 77% of respondents had stolen goods to order for family, friends, acquaintances, drug dealers and 'fences'. Half of all respondents claimed that they had on at least some occasions used legitimate businesses such as pawnbrokers, second hand dealers, local corner stores, jewellery stores, tradesmen and antique shops to dispose of stolen goods. In most of these cases it was alleged that the purchaser knew the goods were stolen.

Despite the apparent opportunistic nature of property theft, there have been some examples of organised criminal activity, particularly in the theft of cash and jewellery from carefully chosen community and commercial targets. There have also been instances of interstate criminals conducting raids in Queensland and returning to their home state to dispose of property. However, Project Krystal consultations indicated that there is no suspected hierarchically structured

organisation or organisations controlling property crime in Queensland, either as purchaser or receiver.

To accurately establish the nature of property theft in Queensland, and the level of organisation involved, there is a need to generate detailed data regarding the motivations for theft and property disposal methodologies.

● Motor vehicle theft

The theft and re-identification of motor vehicles are a significant aspect of property crime. Approximately 20% of stolen vehicles in Queensland are not recovered, and a significant percentage of these may be subject to re-identification or used for spare parts. There were on average 1300 vehicles stolen per month in Queensland in 1998, resulting in a mean direct cost of \$5000 per theft. Statistics from four major Queensland insurers show that the average motor vehicle theft insurance claim has increased 40.5% between 1994 and 1998.

Organised motor vehicle theft is confined to small groups with interstate associations, operating mainly in south east Queensland ...

Motor vehicle theft, including theft of late model luxury and imported cars, Harley Davidson motorcycles, boats and marine equipment, is perpetrated by a broad range of criminals. While opportunism again appears to be the major factor influencing motor vehicle theft, the re-identification of vehicles requires the involvement of persons with specific skills as well as connections with willing, legitimate businesses. Some second hand car yards, panel beaters, wreckers and spare parts suppliers are suspected of involvement in the re-identification, re-registration and resale of stolen vehicles.

Intelligence suggests that organised motor vehicle theft is confined to small groups with interstate associations, operating mainly in south east Queensland, including OMCG members, and persons of Romanian and Lebanese origin. Law enforcement efforts to detect and apprehend persons involved in any part of the re-identification process are frustrated by inconsistencies between state regulations, particularly loopholes and anomalies in registration and wreck disposal procedures. The National Motor Vehicle Theft Prevention Council is currently addressing this issue.

Prostitution

Law enforcement agencies estimate there are 800 legal brothels and as many as 350 illegal brothels in Australia. The brothels employ 16 000 people, service as many as 12.5 million client visits annually, and generate annual industry earnings of \$1.25 billion. The size of the Australian sex industry places it on a par with economically significant industries such as the sugar industry.

The *Prostitution Laws Amendment Act 1992* outlines a range of offences in respect of prostitution. Some of the offences carry penalties of seven years imprisonment, and thus fall within the definition of organised crime in the Crime Commission Act.

While a number of brothel owners exposed during the Fitzgerald Inquiry remain active within the industry, there is little evidence to suggest that criminal organisations are, or have been recently involved in the large scale provision of prostitution in Queensland. Brothels are mainly located in coastal areas of Queensland and are generally operated by persons with some past knowledge and expertise in the business.

There have been some instances of other criminal activities being undertaken in and around brothels; however, these are generally a secondary matter caused by like-minded persons congregating on the one premises. These other crimes appear not to be related to, or networked in any organised way with the core business of the brothel.

A major concern which invariably arises in relation to prostitution is the involvement of children. This issue is being thoroughly examined by the QPS/QCC's Project Axis and will not be covered further in this bulletin.

Wildlife crime

Wildlife crime refers to the taking of protected species from the wild and includes the exportation, and in certain cases, importation of protected wildlife. The

There is no evidence of links between persons involved in wildlife crime and other organised criminal activity, except money laundering...

worldwide illicit trade in wildlife has been estimated at between US\$4 billion and US\$5 billion per annum. In late 1997 three smuggling syndicates — two of them

international and one Australian — were detected in Queensland by the QPS Wildlife Task Force.

The species dealt with are commonly birds and reptiles, but there is evidence of a growing trade in plants, other animals, insects and various marine species. There is high demand overseas for Australian black cockatoos, which are worth up to \$50 000 a pair on the black market, and for some reptiles.

Australian wildlife has reportedly been illegally exported to Europe where it is then 'laundered' to obtain a permit declaring its 'legitimacy' before being forwarded to the lucrative United States market. Flora and fauna are also reportedly being illegally exported from Australia in light aircraft or small boats to New Zealand, as well as being sent overseas via the postal system.

When considering wildlife crime as a possible category of organised criminal activity, a number of factors need to be considered. Wildlife crime occurs, and will always occur, within a relatively narrow niche in the illicit goods and services market. Persons committing the offences have interstate and international links, are appropriately skilled and knowledgeable, know how to 'work the system' and usually consider the keeping of wildlife to be a legitimate hobby.

There is no evidence of links between persons involved in wildlife crime and persons involved in other organised criminal activity, with the exception of money laundering activities. However, the potential for organised criminal activity, including corruption of public officials, to facilitate trafficking of flora and fauna, is significant, given the high profits and low risks associated with the trade.

The fishing industry in Australia is also of some concern because it is an example of a legitimate industry that could be exploited by organised crime. Poaching and misrepresentation of catches pose a threat to Australia's \$1.75 billion fishing industry, and instances of illegal trade have already been recorded in Queensland.

Financial crime

The assessment of financial crime comprises two distinct but interrelated types of offending — fraud and money laundering. Fraud is itself often used as a means of money laundering. Both fraud and money laundering are flourishing in Queensland and indications are that the various schemes and techniques are becoming more complex and diversified.

● Fraud

It is difficult to determine the level of fraud in Queensland and indeed Australia, not least because of problems of definition. However, in 1997 it was estimated that the total cost of fraud in Australia was \$3.0–3.5 billion. This

estimate represents approximately 30% of the cost of all crime, 50% of the total cost of the criminal justice system, and/or 0.5% of the gross domestic product of Australia (OSCA 1998c).

As new business methods, technologies and government policies and programs are introduced, or modified, new opportunities for fraud are created. The Internet, for example, provides instant global reach, a growing pool of potential victims, and jurisdictional headaches for investigating police services. The growing internationalisation of financial and corporate activities offers greater scope for illegal conduct, as does the evolution of an increasingly cashless society.

Superannuation management funds operating in Australia present an attractive pool of capital resources that are electronically accessible, and could be systematically targeted by unscrupulous persons. The defrauding of superannuation funds has already occurred in Queensland.

Credit card crime is a growing problem area that involves the forging of credit cards and the generation of false credit card numbers on the Internet. Easily transportable hi-tech equipment such as coders, decoders, blanks and laptop computers play a major role in this type of crime.

To date most fraud offences in Queensland have been committed by individuals, motivated solely or primarily by greed, and often in the context of either an employee–employer or a professional adviser–client relationship. However, there is increasing evidence of more complex and sophisticated fraud involving groups of people and cross jurisdictional activities.

It is often difficult to investigate or monitor corporate fraud. Companies and securities laws are complex, outdated in relation to the modern commercial and corporate environment, and based on the antiquated assumption that white collar and corporate offenders are different from common criminals and therefore different standards should apply to them.

The increasing variety of schemes, the global reach facilitated by advances in technology, the gullibility of victims, and the cross-jurisdictional nature of some offences will ensure that fraud continues to be a major challenge for Australian law enforcement agencies. 'Wildcard events' such as the Olympics, the year 2000 'millennium bug', the impact of the Asian financial crisis, and the introduction of the Euro currency are also likely to present opportunities in this area of the criminal environment.

In order to make any meaningful inroads in this area, fraud must have a higher investigative priority that

should be reflected in the level of resources allocated to it. This is not to say that law enforcement agencies cannot also seek more cost-effective ways to combat fraud. These should include an emphasis on prevention rather than investigation after the fact, and actively encouraging legislative and other changes to create an environment more conducive to the achievement of positive law enforcement outcomes.

● Money laundering

Although technically a secondary activity, like corruption, money laundering is itself a major organised criminal activity. In general terms, money laundering refers to the process of converting or concealing cash, and other forms of property, derived from criminal

Money laundering is an integral part of organised criminal activity ...

activity for the purpose of disguising its criminal origins and giving it the appearance of having been derived from a legitimate source or activity. Money laundering is a means by which criminals can:

- remove or distance themselves from the criminal activity generating their profits, thus making it more difficult to prosecute key organisers;
- distance profits from the criminal activity to prevent them being confiscated if the criminal is caught;
- enjoy the benefits of the profits without risking detection; and
- re-invest the profits in future criminal activity or in legitimate business.

It is estimated that \$3.5 billion, mainly derived from the proceeds of domestic fraud and drug trafficking, is laundered in Australia each year. An estimated further \$5.5 billion of the proceeds of domestic Australian criminal activity is suspected of being laundered overseas. In addition, it is estimated that \$7.7 billion of the proceeds of overseas criminal activity are laundered in Australia (Walker 1995).

A recent analysis by Access Economics estimates the total spending on illicit drugs in Australia at \$7 billion annually, while at a state level, the estimated worth of the Queensland heroin industry alone is in the vicinity of \$400–548 million annually. These figures illustrate the profit-making potential of organised criminal activity. They also give some indication of the size of the underground money and property market where criminal proceeds circulate, and an idea of the likely extent of the money laundering problem in Australia.

Money laundering is an integral part of organised criminal activity and is being undertaken in a variety of ways by a diverse range of criminal enterprises. Some examples of money laundering practices, including techniques employed in Queensland, are:

- structured deposits of under \$10 000 (which are not reported to the Australian Transaction Reports Analysis Centre, 'AUSTRAC');
 - overseas transfers facilitated by credit cards and/or the Internet;
 - multiple bank transfers and multiple accounts;
 - misuse of Hui and other alternative remittance services;
 - gambling, such as use of bookmakers and casinos;
 - routing funds through solicitors' trust accounts;
 - property purchase, such as real estate, cars and gold bullion, registered in a false name or in the name of family members or associates;
 - cash transactions; and
 - laundering funds through legitimate businesses.
- lack of detailed knowledge about the precise extent of money laundering in Queensland;
 - the wide range of criminal activities capable of generating criminal assets and proceeds;
 - the array of money laundering methods;
 - lack of experience and expertise by state law enforcement agencies in investigating underground financial markets and banking systems;
 - the time consuming and resource absorbing nature of money laundering investigations;
 - the stringency of evidentiary rules in Queensland as they relate to money laundering and forfeiture proceedings;
 - Federal legislative obstacles to some state based law enforcement agencies securing access to essential sources of information, for example transaction reports and taxation records; and
 - lack of uniformity in criminal confiscation legislation between jurisdictions.

Advances in electronic commerce such as the Internet and 'smart' cards have created new, and more secure, opportunities for money laundering, by giving transacting parties an immediate, safe, convenient and potentially anonymous means to transfer financial value.

Money laundering is not an activity that necessarily demands specialist knowledge by the offender. Frequently it is legitimate professional advisors, with the expertise to circumvent reporting requirements, that facilitate the reinvestment and conversion of proceeds of crime — for a fee. For example, in 1997 a Brisbane accountant was jailed for three years for laundering more than \$1 million of criminal proceeds generated from drug trafficking activities.

Some of the proceeds of crime are undoubtedly spent on indulgences and luxury items and some are reinvested into the illegitimate business enterprises from which they were originally derived in order to fund further transactions or expand market share. However, most proceeds will be quickly converted to legitimate funds, predominantly by channelling them through legitimate business processes. They can then be used to further increase wealth through legitimate means.

There are a number of practical and legislative factors affecting the approach of law enforcement agencies to money laundering, including:

What the market analysis tells us: risks, threats and challenges

Project Krystal provides a current snapshot of the involvement of organised criminal entities in the trafficking of illicit goods and services within Queensland, and the risk associated with discrete market activities. It is necessary to monitor crime trends and interpret market changes to predict emerging criminal opportunities and organised crime responses to technological advances, social trends or changes to legislative or regulatory arrangements.

The Project's assessment is based on the premise that there is very little practical difference between the basic operating principles of an illicit market and legitimate business practice. Like all other service and commodity markets, criminal markets operate in a relatively free and global environment. Organised criminal activity needs to be understood in this context. Criminal markets are affected by the relationship between demand and supply, and law enforcement agencies are continuing to focus on, and intensify, market disruption strategies. To do this effectively, it is necessary to first understand the market characteristics presenting significant threats and challenges both to organised crime and to Queensland law enforcement.

Diversity

In recent years there has been a greater diversity of participants across all illicit drug market segments. One important factor has been the extent to which specific group characteristics facilitate a real competitive advantage. For example, for the best part of the 1990s persons of South East Asian origin have been significant participants in the heroin market in Queensland. It is broadly acknowledged that their cultural networks are perceived as a competitive advantage that other potential market entrants lack, particularly in terms of linking with importers who are of similar ethnic origin. However, the market is diverse and features non-South East Asian distributors who are operating successfully. South East Asian–Australian dealers are trading in heroin and other illicit commodities with non-South East Asian criminals once a relationship of trust has been established.

Poly-drug use

The increase in poly-drug use, including shifting preferences between drug types, makes it harder for analysts to track commodities and their respective markets. The traditional distinction, for example, between cocaine and heroin consumers appears to be blurring as users combine the two to offset each drug's respective stimulant and depressant effects (ABCI 1999).

Other market influences such as supply shortage, legislative changes in relation to the availability of precursor chemicals, and greater availability and affordability of some drugs have also led users to

experiment with several drugs or seek substitutes to their usual drug of choice. For example, an expected increase in heroin use in China over the long term could be a catalyst for a heroin shortage internationally, including in Australia. This could increase the price of heroin in Australia, lower its purity, and lead some users to move away from heroin to other drugs (OSCA 1998, p.9).

Cocaine has become more readily available on the Australian illicit drug market and has emerged as a major competitor to heroin. This trend has not yet been evident in Queensland. However, the shedding of its 'yuppie' image, its price competitiveness, and its appeal to injecting drug users, suggest that interstate trends could be replicated in Queensland in response to unsatisfied demand. Similarly, there are indications that some amphetamine users are shifting to heroin use due to a preference for injecting.

A consumer state

Queensland is predominantly a consumer state within the Australian illicit drug market. With the exception of cannabis and to a lesser extent amphetamine, most illicit drugs available on the Queensland market are imported from overseas and enter the Queensland distribution network via a wholesale distribution point located outside the state. This means that individuals in the upper echelon of the industry — those who are profiting the most from these transactions — may not, in the absence of proven connections to criminal activities in Queensland, be within the jurisdiction of Queensland law enforcement agencies.

RAM Results

Risk ratings for organised criminal activities in Queensland

The heroin market and money laundering have been assessed as posing the highest risk to the Queensland community.

The Risk Assessment Matrix (RAM) has evaluated the heroin market as the highest risk activity. This is because of heroin's ready availability and the extensive harm to the community caused by heroin abuse.

Financial crime is assessed as a high risk activity because of the impact and extent of the fraud and money laundering markets, and the symbiotic relationship of money laundering with all other major forms of organised criminal activity.

RISK RATINGS	
VERY HIGH	Heroin
HIGH	Money laundering Fraud Cocaine Amphetamines
MEDIUM	Cannabis Property crime
LOW	Prostitution Wildlife crime

Risk ratings are produced by assessing the intent (desire and confidence), the capability (resources and knowledge) and harms associated with each criminal activity.

Limited impact of supply side strategies

Conventional policing methodologies and supply-driven responses have had limited sustained impact on the illicit drug trade all over the world. The illicit drug

market is perhaps the most obdurate form of organised crime and a fixed feature of most western societies. Attempts to stamp it out have met with limited success, and despite the determined efforts

The removal of so-called 'Mr Bigs' of the drug trade has little practical effect on the market in the long term and almost no discernible effect on supply ...

of law enforcement agencies, their successes are frequently short-lived and the flow of illicit drugs continues unabated.

A wide variety of locally grown, synthetically manufactured, and imported drugs are available throughout Queensland to meet a consistent, and sometimes increasing, demand from a broad cross-section of the community.

Current market disruption strategies that focus on the supply side of the market equation have had limited success. For example, only 0.85%–1.3% of the total estimated quantity of heroin in the Queensland market was intercepted in 1996–97 and 1997–98. The QPS believes that to substantially reduce the profitability of drug trafficking, at least 75% of shipments would need to be intercepted.

There has also been limited long term impact on heroin supplies in regions outside south east Queensland, despite successful operations targeting heroin trafficking in these areas. The availability of heroin fell only until alternative sources of supply were established. The reality is that the removal of so-called 'Mr Bigs' of the drug trade has little practical effect on the market in the long term and almost no discernible effect on supply, and there is little that state-based law enforcement agencies can do to disrupt production and importation of drugs from other countries. However, enforcement strategies focusing on the financial incapacitation of organised crime are aimed at undermining the profit incentive behind these activities — and ultimately the criminal activities themselves.

The financial chain

The overriding motivation for any substantial involvement in organised crime is financial gain. Illicit drugs are currently the most popular and lucrative

illegal commodity being marketed by organised crime groups in Queensland.

The amount of drug use in Queensland alone suggests that a significant amount of money changes hands between distributors and local dealers, and between distributors and their suppliers. Queensland's 'retail' heroin market in isolation is estimated to be worth between \$400 and \$548 million. Law enforcement agencies have some understanding of how these transactions are facilitated, the size of the transactions, and, more importantly, how the proceeds of these criminal activities are converted, but it has proven difficult to detect the specific transactions. Investigation of the financial aspects of the illicit drug trade may well pay dividends in terms of identifying the major players in drug trafficking and related criminal activity, and implementing more proactive market disruption strategies.

The advisors

Financial crimes such as fraud and money laundering are becoming more complex and diversified. Assistance provided to criminals by professional advisors in the accountancy, real estate, investment and legal fields — wittingly or unwittingly — adds to the difficulties faced by law enforcement agencies.

The situation is further exacerbated by the fact that Australia does not have the equivalent of British legislation that requires accountants to report suspicious transactions. While AUSTRAC has helped several firms draw up codes of conduct against money laundering, it is up to individual practitioners and firms to protect their personal and corporate reputations.

Law enforcement must work more closely with professional advisors to develop better reporting mechanisms and specialised expertise in the detection of financial crime. In addition, to make meaningful inroads into this area, financial crimes must have a higher investigative priority.

Technology

The impact of new technology is a double-edged sword. On the one hand it has the potential to significantly enhance the efficiency and effectiveness of police operations and investigations. Conversely, technology creates increased opportunities for flexibility and obscurity in crime.

There is ample evidence of criminals taking advantage of new and emerging technologies, in particular information technology and the Internet, which can be used to conduct a range of criminal activities such as the production of false identification and credit cards.

Information technology is also increasingly being used as a tool for illegal financial transactions. Growing global trends toward electronic commerce on the Internet have led to large volumes of international financial processing. Given the anonymity and trans-jurisdictional nature of these systems, and their limited security, they present an attractive environment for criminals seeking to infiltrate them. 'Hackers' and criminally minded information technology professionals have the potential to pose a significant threat to financial systems, strategic public utilities and databases.

Encryption and advanced communication systems allow the transmission of coded messages that are almost impenetrable to law enforcement. Criminals who use these systems recognise that they are invaluable tools that can increase their potential for financial gain, including the rapid conversion of the proceeds of their criminal activities. Internet access to open source information, in combination with assistance from unethical professionals, provides some criminals and criminal networks with an invaluable 'commercial' advantage.

Law enforcement agencies can use these same technologies to effectively disrupt technologically assisted criminal activities. However law enforcement is yet to take full advantage of the potential of evolving information technologies. Currently there is no nationally integrated process in place that facilitates effective case management for major cross-jurisdictional investigations. The broader issue of enhanced information sharing within the law enforcement community can be addressed through the implementation of a 'national one key stroke access' strategy.

The global environment and jurisdictional difficulties

A significant problem faced by law enforcement is that it is constrained by geographic and administrative boundaries, while organised crime takes place in an increasingly borderless environment.

The 'business of organised crime' is operating within a global marketplace and thriving on demands for illicit goods and services. The deregulation of financial markets and the globalisation of the international economy; advances in, and increasing use of, technology; changes in international trade agreements and alliances; and the establishment of open border arrangements have all created opportunities for organised criminal activity, as the movement of products and funds becomes easier.

In the case of investigations that involve money transferred and/or laundered in or from overseas countries, the capacity for any law enforcement agency

to effectively take action is further exacerbated by the impact of laws relating to crime and proceeds of crime in those countries.

In order to deal effectively with this environment, law enforcement needs to adopt an integrated approach to information technology facilitated through cooperative alliances, joint task forces and greatly expanded inter-jurisdictional trust and interaction (OSCA 1998a).

Regulatory limitations

Two major issues confronting law enforcement are cross-jurisdictional differences and inconsistencies, and the fact that most current legislation pre-dates the use of computer technology in the commission of offences. To more effectively deal with organised crime, serious and balanced consideration needs to be given to the following legislative initiatives:

- The economic viability of organised criminal activity in Queensland would be significantly reduced by the introduction of a civil confiscation scheme, similar to that now operating in New South Wales. Such a scheme would complement the existing criminal confiscation scheme provided for under the *Crimes (Confiscation of Profits) Act 1989*. It would make possible the restraint of the assets of a person suspected of being engaged in 'serious criminal activity' during a specified period. Confiscation of that person's assets can be triggered if a Supreme Court Judge finds, on the balance of probabilities, that the person has engaged in defined serious criminal activity within the specified period unless that person positively demonstrates that such assets were not derived from criminal activity. In short, civil confiscation could occur in the absence of any criminal conviction, or even prosecution, and once the 'trigger' is activated, the onus is on the individual concerned to demonstrate that his or her assets were lawfully acquired.

Enforcement strategies focusing on the financial incapacitation of organised crime are aimed at undermining the profit incentive behind these activities — and ultimately the criminal activities themselves ...

- Queensland law enforcement agencies currently do not have the power to intercept telecommunications under the *Telecommunications (Interception) Act 1979* (Cwlth) due to the absence of complementary state legislation. Law enforcement agencies in all other states except Tasmania possess this power in

relation to organised crime investigations. Telephone interception capabilities are essential to the effective disruption of organised crime and are more selective and less intrusive than the listening device capability currently available to Queensland law enforcement agencies.

- Covert operations targeting identities involved in organised criminal activity experience difficulties due to the absence of controlled operations laws in Queensland. Legislation enabling covert police and civilian operatives to participate in certain controlled unlawful activities, such as the purchase of drugs from drug dealers, would ensure that evidence arising from such operations is not excluded in the judicial process.
- Undercover police and civilian witnesses are currently forced to testify in judicial proceedings in Queensland without the safeguard of anonymity. The introduction of witness anonymity legislation, similar

to that now operating in New Zealand, would enable covert police operatives and civilian informants to give evidence under assumed identities. This would facilitate the investigation and prosecution of many organised

Telephone interception capabilities are essential to the effective disruption of organised crime and are more selective and less intrusive than the listening device capability currently available to Queensland law enforcement ...

crime matters that currently cannot proceed to a successful outcome due to fears of witnesses that they may face reprisals.

- Limitations in both the wording and practical application of the legislation and protocols applying to telecommunications carriers and service providers and financial institutions are causing problems for law enforcement agencies in their investigation of organised crime. For example, one such problem is the use of false names and addresses to open bank, credit card and mobile phone accounts contrary to specific legislative requirements. Law enforcement agencies need to lobby Government and watchdog agencies to ensure that the scope for these practices is minimised, desirably through tighter legislative requirements.

The law enforcement response

The multi-faceted and constantly variable character of organised crime makes it necessary for law enforcement to look beyond the traditional concept of organised crime 'groups' and adopt a more comprehensive approach that reflects the dynamic nature of organised criminal activity.

The critical importance of a strategy involving the financial incapacitation of organised criminals has been recognised in Australia since the Woodward Royal Commission into Drug Trafficking in 1979. A decade ago Tony Fitzgerald QC pointed out that organised crime is a self-perpetuating and enduring activity that will survive for so long as it holds on to its wealth (1989, p. 162). Fitzgerald's words echoed the observation of Frank Costigan QC that:

the most successful method of identifying and ultimately convicting major organised criminals (and drug traffickers) is to follow the money trail and ... once you have identified them, you take their money away, that is, the money which is the product of their criminal activities (Costigan QC 1984, p. 12).

The Crime Commission legislation acknowledges profit as the common denominator of all forms of organised crime, and accordingly defines organised crime as criminal activity that involves, among other things, a purpose to obtain profit.

The importance of the 'money factor' to organised criminal activity is reflected in the 'high risk' rating of financial crime (comprising fraud and money laundering) under the Risk Assessment Matrix. This is not only because financial crime is an organised criminal activity in itself, but also because of its symbiotic relationship with all other major forms of organised criminal activity. The proceeds of crime can be used to corrupt public officials; make possible access to legal and accounting expertise and infiltration of legitimate businesses; and render an organised group less vulnerable to law enforcement action.

Although profit is the acknowledged purpose of organised criminal activity, and provides sustenance for its continuation and expansion, law enforcement has had limited success at capturing and undermining the proceeds of crime. The seizure of assets derived from criminal activity recoups at best 1% of laundered money in Australia. Just \$2.74 million of the proceeds of crime were recovered in Queensland in 1997-98 — representing just 0.5-0.7% of the estimated value of the State's heroin industry alone.

Attacking the profit motive

Organised crime control strategies are different from traditional law enforcement strategies. The aim is not to deal with individual criminals or individual crimes, but to identify and close down as many criminal opportunities as possible, and to reduce the overall profitability of organised crime through market disruption techniques. Strategies aimed at undermining profitability and financially incapacitating the criminals who operate within, and benefit from, the illegal economy must be implemented alongside strategies aimed at the demand and supply sides of illicit markets.

Increasing the risk of detection is likely to assist in deterring organised criminals from setting up business in Queensland and therefore minimises the social harm and economic cost of organised crime to the community. The financial incapacitation of organised criminals erodes both their capacity and motivation to continue their illegal activities.

To more effectively target organised crime, new methods to attack and undermine the profit motive underpinning all forms of organised criminal activity are being adopted. This includes targeting the professional 'gatekeepers' who help organised criminals legitimise and hide their assets from law enforcement scrutiny.

Organised criminals hire the services of expert lawyers, accountants and financial advisors to invest in legitimate business enterprises to make even more money and convert their criminal proceeds into legitimate assets. There is no clear demarcation between legal and illegal economies. There is 'a large grey area covering such activities as professional services to crime and investment of criminal proceeds in legitimate enterprises that should perhaps be thought of as the "semi legal economy"' (Dickie and Wilson 1993, p. 219).

The focus may be better directed towards those organisations and individuals who serve key boundary spanning roles between the upper and underworld and act as gatekeepers who determine who has the right of entry from the illegal market into the legal economy and can be insulated against law enforcement penetration (Mastrofski and Potter, 1987, p. 291).

This means continuing to monitor and better understand the characteristics of the market that facilitate the flow of money to and from criminal enterprises, and between licit and illicit markets. This requires implementing an approach that devotes resources and investigative energy to tracing money and property transactions away from their illicit sources and back towards those who profit from them — the organisers and financiers of criminal enterprises, and the professional advisors acting as accessories.

Joint organised crime control strategies should continue to:

- identify and close down as many organised crime opportunities as possible;
- reduce the overall profitability of organised crime through market disruption techniques;
- dismantle existing criminal organisations and deter other organised crime groups from setting up business in Queensland, for example by increasing the risk of detection; and
- minimise the social harm and economic costs to the community of organised crime by recovering a greater proportion of criminal proceeds and assets.

Performance indicators

Just as organised crime cannot be brought or kept under control by conventional law enforcement powers, the success of organised crime investigations cannot properly be gauged by traditional measurements. While it is some indication of performance, law enforcement agencies worldwide now concede that the 'body count' method of performance evaluation is really a very shallow and unreliable measurement of success — however glamorous it may appear to be (or can be made to look). This is particularly relevant in relation to the investigation of organised crime.

Unlike the investigation of specific crimes by individual offenders, organised crime investigations involve a long term commitment of resources and energies. The duration of investigations is measured in years rather than weeks.

Long range, resource-intensive investigations of organised crime have the capacity to absorb all the resources of investigating agencies for little or no apparent or immediate progress in terms of numbers of charges and frequency of arrests. Moreover, not all arrests are of equal value or significance, and the nature of a charge may be

more significant than the number of charges laid. The arrest of one major drug importer, for instance, may do more to disrupt or dismantle a criminal enterprise than the arrest of a dozen of his or her street dealers. The arrest of lower level offenders arguably tends merely to

Effective disruption, prevention or deterrence strategies may not result in a single arrest but could directly cause or contribute to the closure of an entire criminal enterprise or opportunity ...

remove the least efficient operator in the market, whose place is quickly taken by a more efficient and careful replacement, thus promoting rather than inhibiting growth of the enterprise.

Even statistical claims such as the size of drug hauls, conviction rates, and the value of criminal proceeds or assets seized or recovered, while interesting in themselves, may be fairly meaningless measures of operational effectiveness. For example, the size of a drug haul has no significance as an indicator of performance unless it can be measured in terms of its impact upon the drug market as a whole. For example, did the price of the drug in question rise as a consequence, reflecting a reduced supply to meet a stable demand? (Wardlaw 1989)

Effective disruption, prevention or deterrence strategies may not result in a single arrest but could directly cause or contribute to the closure of an entire criminal enterprise or opportunity. This could be achieved by making it unprofitable or increasing the likelihood of detection, without actually scoring anything according to the 'body count' method.

QCC's role and interagency relations

The QCC's effectiveness as a law enforcement agency is dependent on its highly strategic, research-based and intelligence-driven approach to the criminal environment in Queensland. The only effective means of countering the threat from the type of flexible and loosely knit criminal entities operating in Queensland is to adopt a systematic and proactive approach to

detection, deterrence and disruption.

This strategic and intelligence driven approach permits the QCC to be proactive rather than reactive.

The combined emphasis on strategic intelligence, risk assessment and market-based analysis is enhanced by the QCC's multi-disciplinary team approach ...

Relevant threats and risks to the community are assessed within a structured risk assessment framework to give direction to tactical priorities, and to ensure law enforcement resources are directed where they can be most effective. The combined emphasis on strategic intelligence, risk assessment and market-based analysis is enhanced by the QCC's multi-disciplinary team approach.

Close relations between law enforcement agencies can also act as a major barrier to organised crime. As Fitzgerald QC pointed out in his report:

Organised crime has never, anywhere in the world, been brought under control by a piecemeal process. An integrated, comprehensive and wide range of corrective measures have to be made available (Fitzgerald 1989, p. 164).

A vital part of the QCC's role is to participate in an integrated response to organised crime in Queensland by adding value to the existing and traditional law enforcement effort. The QCC works in cooperative partnership with the QPS and other specialist bodies, such as the National Crime Authority and the Australian Federal Police.

The degree of interagency cooperation is critically important in the context of organised crime, for a number of reasons:

First, unlike conventional crime, the 'victims' of organised crime will not complain to authorities and accordingly, proactive rather than reactive investigation techniques need to be employed. Consequently, effective investigation requires an ability to obtain relevant information from all available resources in order to identify the existence of organised criminal activities.

Secondly, organised crime often involves multi-jurisdictional offending, requiring cooperation between the States and Federal agencies to avoid the structural obstacles that would otherwise exist as a result of federalism.

Thirdly, interagency cooperation is critical because of the fact that a multitude of government departments will be in possession of information invaluable to investigatory agencies. The ability to follow the money trail and build up broad pictures of organised crime will partly depend on the quality and quantity of information available to them from government departments (Corns 1992, p. 169).

The QCC and other law enforcement agencies are committed to working closely together to promote the free flow of information and optimise the effective and efficient use of limited law enforcement resources against organised crime.

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QCC Crime Bulletins are intended to inform the Queensland community of issues relating to organised crime and criminal paedophilia, or to highlight important aspects of the Crime Commission's work, and will be published from time to time.

Summary of Findings

- Organised crime is widespread and firmly entrenched in Queensland.
- Queensland's organised criminals may not be 'Mr Bigs', but they are 'Mr Big Enoughs'.
- There are a large number of opportunistic individuals and groups of individuals operating at varying levels of complexity within a diverse marketplace.
- High risk activities are the illicit drug trade and financial crime. The heroin trade represents the highest risk to the community.
- Organised criminal entities in Queensland are a series of flexible, loosely structured, relatively short term, entrepreneurial associations. Syndicates are created and dissolved according to the needs of the particular criminal activity.
- Profit rather than ethnicity is the common denominator of all forms of organised crime.
- It is evident that supply driven enforcement strategies have had limited impact on the drug market.
- Trade in heroin within the Queensland illicit drug market is being conducted by a diverse range of distributors, some highly organised and others more opportunistic.
- The size of the Queensland heroin market is conservatively estimated to be \$400 million per annum, and may be as high as \$548 million. Queensland's estimated 10 500 regular heroin consumers require approximately 325 kg of uncut heroin, or 750 kg of 'street' purity heroin, to satisfy their demand alone.
- The reduced price of cocaine and increased demand points to a likely increase in cocaine importation activity in future.
- There continues to be a consistent demand for, and availability of, amphetamine in Queensland. The production of high grade amphetamine may become the sole province of organised crime as precursor chemicals become harder to obtain — particularly if there is unmet demand in the market.
- There is no suspected hierarchically structured organisation(s) controlling property crime in Queensland. Organised motor vehicle theft is confined to small groups with interstate associations, operating mainly in south east Queensland.
- Fraud and money laundering are flourishing in Queensland. They are assessed as high risk organised crime activities because of their impact and extent, and the symbiotic relationship of money laundering with all other major forms of organised criminal activity.
 - The total cost of fraud Australia-wide was estimated to be \$3.0–3.5 billion in 1997.
 - \$3.5 billion derived from the domestic organised crime market is laundered in Australia each year, with a further \$5.5 billion exported overseas for laundering.
- Threats and challenges to law enforcement in dealing with organised crime include:
 - the diversity of market participants;
 - the black money market professional advisors who assist organised criminals conceal their assets;
 - the global environment and jurisdictional difficulties; and
 - regulatory limitations, including the lack of legislation relating to civil confiscation of the proceeds of crime, telecommunications interception, witness anonymity and covert operatives.
- Strategies aimed at undermining profitability and financially incapacitating the criminals who operate within, and benefit from, the illegal economy must be implemented alongside strategies aimed at the demand and supply sides of illicit markets.
- Just \$2.74 million of the proceeds of crime were recovered in Queensland in 1997–98, compared with the \$400–548 million estimated size of the heroin market alone.
- Queensland's anti-organised crime effort may be better directed towards the professional advisors who — wittingly or unwittingly — assist organised criminals insulate their activities from law enforcement penetration.