



THE HON MARK DREYFUS KC MP ATTORNEY-GENERAL

I issue this Ministerial Direction under subsection 37(2) of the *Australian Federal Police Act 1979* (the AFP Act). It supersedes and revokes the Directions issued on 16 December 2020 and 8 August 2019.

The Government is committed to ensuring the safety and security of Australians and Australia's national interests. The role of the Australian Federal Police (AFP) is to uphold and enforce Commonwealth criminal law, contribute to combating complex, transnational, serious and organised crime affecting Australia's national security and protect Commonwealth interests from criminal activity in Australia and overseas.

The rule of law underpins the way Australian society is governed. Everyone—including citizens and the Government—is bound by and entitled to the benefit of laws. In upholding the law, I expect the AFP to act in accordance with the rule of law and enforce the law in a rational and fair manner. Further, I expect the AFP will uphold the highest integrity standards when conducting operations and interacting with the public. This includes acting honestly and fairly in service of all members of the community.

1. Areas of focus

When performing its functions under section 8 of the AFP Act, I expect the AFP will focus its activities to maximise impact on the criminal environment. This is in addition to the AFP working with the communities of the ACT, Jervis Bay, and Australia's external territories to address victim-based crime, threats to community safety and serious and organised crime.

In addressing these priority areas of focus, I recognise that the AFP operates in a highly complex and rapidly evolving criminal environment and must remain agile and responsive to changing demands.

Protection of life

- Identify, prevent, disrupt and investigate violent extremism in all its forms.
- Identify, prevent, disrupt and investigate human exploitation, modern slavery and the exploitation of children, including working through the Australian Centre to Counter Child Exploitation, with a focus on protecting and supporting victims and removing them from harm.
- Support domestic and international partners to combat people smuggling ventures to Australia.

Protection of livelihoods

- Identify, prevent, deter, disrupt and investigate transnational and serious organised criminal activities affecting Australia, including illicit drug importation, firearms offences, money laundering, returning criminal assets and removing the profits of crime.
- Deter malicious actors from targeting the Australian cyber environment across government, industry and the community and protect Australians from cybercrime.
- Safeguard Commonwealth revenue by deterring, disrupting and investigating serious or complex fraud and corruption against the Commonwealth, including foreign bribery.

Protection of the Commonwealth

- Disrupt and investigate espionage and foreign interference affecting Australia's national interests.
- Ensure the security of people (including Australian High Office Holders and foreign dignitaries when in Australia), assets, critical infrastructure and systems of national significance.
- Prevent, disrupt and respond to security and criminal threats at designated Australian airports.
- Provide expertise, training and development to law enforcement partners in our region and beyond to build law and order capacity and enhance regional security.
- Respond to critical incidents in the international community as requested from time to time by foreign jurisdictions, including responding to the breakdown of law and order, criminal activities resulting in mass casualties and humanitarian crises such as natural disasters and pandemics.

2. Expectations

To fulfil its role as Australia's federal law enforcement agency and maintain high levels of trust, the AFP must act with the upmost integrity and continue to engage with government and the community through a range of legislated accountability mechanisms. Further, the operational independence of the AFP must be preserved so that the Commissioner continues to have general administration and control of the operations of the AFP.

Collaboration and partnerships with domestic and international policing counterparts, as well as industry, academia, civil society and the community is essential. The AFP must work closely with the Attorney-General's Department, the Australian Criminal Intelligence Commission, the Australian Transaction Reports and Analysis Centre and other Commonwealth law enforcement and intelligence agencies. As a federal police force, the AFP must develop close relationships and work collaboratively and cooperatively with state and territory law enforcement bodies. This will ensure a strategic and coordinated approach

to law enforcement policy and operations across Australia. Further, the AFP must develop close relationships with Australia's international partners, including those in the Pacific.

In performing its functions under section 8 of the AFP Act, I expect that the AFP will:

- Maintain a deep understanding of the threat environment to ensure the AFP is best placed to respond to criminal threats wherever they may occur;
- Conduct its activities with the utmost integrity and respect;
- Adhere to Australia's international obligations, including protecting human dignity and upholding the human rights of all persons;
- In protecting and serving the community, engage with members of the community with respect and in a culturally appropriate way, with special care taken when engaging with children;
- Provide advice and support whole-of-government decision-making, contributing operational perspectives on matters of national security to ensure an effective response to emerging threats to the Australian community;
- Use the AFP's significant international presence and relationships to address criminal threats offshore to prevent harm reaching Australian shores and maintaining security in the region;
- Continue to maintain a high-performing, innovative and values-driven policing agency that prioritises the development of its people and their health and wellbeing in the pursuit of operational outcomes;
- Ensure the safety of AFP members, capabilities and policing infrastructure;
- Ensure strong corporate governance and information management, comply with relevant legislative requirements and act with integrity at all times; and
- Proactively identify and address issues affecting the AFP's performance and capacity to achieve priorities in a timely and comprehensive manner.

3. Investigations involving a professional journalist or news media organisation

Regarding the investigation of unauthorised disclosure of material made or obtained by a current or former Commonwealth officer involving a professional journalist or news media organisation, I expect the AFP to take into account the importance of a free and open press in Australia's democratic society and to consider the broader public interest implications before considering investigative action involving a professional journalist or news media organisation.

I also expect the AFP to exhaust all alternative lines of inquiry and to seek voluntary assistance wherever operationally possible from a professional journalist or news media organisation, prior to exercising powers against a journalist or news media organisation.

Further, the AFP should follow the National Guideline on investigative action involving professional journalists or news media organisations and have regard to any whole-of-government guidance that may be issued concerning the levels of harm caused to Australia's national interest by disclosure of the various types of information held across government.

A handwritten signature in blue ink, appearing to read 'Mark Dreyfus', written in a cursive style.

MARK DREYFUS KC MP

20 / 10 / 2023