

defrauded, due to embarrassment and shame,” Detective Superintendent Hay said.

“Interestingly, during Operation Echo Track we contacted 139 people and asked why they were sending money to Nigeria. Of these 134 were victims, but not one had ever made a complaint to police. They were all silent victims.”

The FCCG has adopted a proactive stance to tackle the rising incidence of fraud and trans-national crime. Project Synergy aims to increase public awareness and build the capacity of Queensland Government agencies and industry groups to prevent and manage fraud.

Project Synergy provides a forum for law enforcement, government and industry groups to work together in partnership to combat fraud through best practice.

In 2007 FCCG conducted a Nigerian Fraud Symposium in Brisbane that was attended by 100 representatives from law enforcement and other agencies from around Australia and overseas. During the past year the FCCG has also facilitated two Fraud Investigation Summits and one High Tech Crime Investigation and Digital Evidence Recovery Symposium for investigators and other interested parties.

Detective Superintendent Hay said Nigerian fraud scams had been around for 20 years, but had proliferated due to the use of the Internet and email.

“It’s getting worse and that situation can be expected to exacerbate in the absence of any form of intervention,” he said.

“Australians are losing too much money to these frauds and we need to make the public more aware so we can stop it from happening.”

By Nicole Hopgood,
Media and Public Affairs Branch

Making sure crime does not pay

Career criminals who view jail sentences as just a temporary inconvenience can no longer look forward to living off the proceeds of their illegal activities once they are released.

The Proceeds of Crime Unit (POCU) was established in 2002 to facilitate the confiscation of tainted assets as directed by the Supreme Court.

Proceeds of crime are any assets that have been gained directly or indirectly from an illegal activity. For example, cash obtained directly through the sale of drugs would be classed as proceeds of crime. Anything purchased with that cash, such as a house or motor vehicle, would also be proceeds of crime.

POCU Officer in Charge Detective Sergeant John Pukallus said confiscating assets gained illegally effectively ensured offenders did not profit from their crimes.

“Some criminals are prepared to run the risk of being sent to jail because the financial rewards for committing these crimes can be attractive,” Detective Sergeant Pukallus said.

“That’s where the Proceeds of Crime Unit comes in. We are here to remove the financial incentive associated with committing crime. Don’t count on the million dollar mansion or expensive car or stash of money being there when you get out of jail.

“We are here to make sure crime does not pay.”

In Queensland, the *Criminal Proceeds Confiscation Act 2002* allows property derived from an illegal activity or used in the commission of an offence to be confiscated. There are two separate schemes under the Act—civil and criminal confiscation.

Civil confiscation, administered by the Crime and Misconduct Commission, can be used to recover the proceeds of a crime regardless of whether the person has been convicted of a criminal offence.

Criminal confiscation is administered by the Office of the Director of Public Prosecutions and requires the offender to be convicted of the offence before property can be recovered.

The Act requires that the offender must have been involved in a serious criminal activity carrying a penalty of at least five years imprisonment to ‘trigger’ confiscation proceedings. However, the crime must have been committed within the previous six years.

The Act also allows for a Proceeds Assessment Order to be obtained. This order is basically a bill for the amount of money that a criminal has earned through the illegal activity.

By Paula Hedemann, Media and Public Affairs Branch

