



Australian Government

Attorney-General's Department

Proceeds of Crime Act 2002
Section 298 Programs of Expenditure

**GUIDELINES FOR FUNDING
NON-GOVERNMENT
ORGANISATIONS**

February 2009

Applications close at 5.00pm on Friday 20 March 2009

The focus of this Funding Round is on the provision of **Indigenous throughcare** programs and **Crime prevention** programs.

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Part 1—Guidelines for funding

1 Introduction

The Minister for Home Affairs has approved a new round of funding under the *Proceeds of Crime Act 2002* (POCA). Funding of \$6 million is available for grants to not-for-profit community organisations and local governments to implement Indigenous throughcare and crime prevention projects.

1.1 What is the *Proceeds of Crime Act 2002*?

The POCA was passed by Parliament on 11 October 2002 and came into operation on 1 January 2003. The POCA was enacted to discourage and deter crime by preventing criminals from enjoying the financial benefits of their illegal activity.

The POCA provides a scheme to trace, restrain and confiscate the proceeds of crime against Australian Commonwealth law. In some circumstances it can also be used to confiscate the proceeds of a crime against foreign law or the proceeds of a crime against state law (if those proceeds have been used in a way that contravenes Australian Commonwealth law).

1.2 What programs can be funded under the POCA?

Under Section 298 of the POCA the Minister for Home Affairs may approve a program for the expenditure of money standing to the credit of the Confiscated Assets Account (CAA). Funds may be provided to both government and non-government organisations.

Under the POCA, funding can be provided for programs of expenditure on:

- crime prevention measures
- law enforcement measures
- measures relating to treatment of drug addiction, and
- diversionary measures relating to the illegal use of drugs.

2 Grant Limits and Funding Period

Under this round, not-for-profit non-government organisations and local governments are able to apply for funding of up to **\$500,000** for each project.

The final amount of the awarded grant will be at the discretion of the Minister for Home Affairs.

Grant funding is **non-recurrent** and is available for projects **of up to three years** duration.

There is no limit on the number of applications an organisation can submit, however, in any round, you must:

- submit a separate application for each project, and
- not submit more than one application for the same project.

3 Eligibility

3.1 Who is eligible to apply?

To be eligible for funding, organisations must be:

1. not-for-profit
2. incorporated, and
3. a community organisation, or a local government associations/agency.

For the purposes of receiving funding under the POCA, a not-for-profit organisation is an organisation which is not operated for profit or for the individual gain of its members or promoters.

Evidence of incorporation and not-for profit status must be included in the application.

3.2 Who is not eligible to apply?

Applications will not be accepted from:

- individuals
- political organisations
- unincorporated organisations
- commercial/for profit organisations.

Unincorporated organisations

If your organisation is not incorporated, you should either:

- seek incorporation, or
- approach an incorporated community-based organisation to sponsor the project under its name.

This means that the sponsoring organisation will take full responsibility for the legal and financial accountability of the proposed project, ie the sponsoring organisation will sign a Funding Agreement with the Attorney-General's Department.

Managing POCA funding on behalf of another organisation

If your organisation is managing POCA funding on behalf of another organisation, the Funding Agreement is signed between your organisation and the Attorney-General's Department. Your organisation is legally responsible for the management and implementation of the Funding Agreement. The different roles and practical arrangements between your organisation and the managed organisation in implementing the project should be set out in a letter of agreement, which should be included with your application. If these roles and arrangements change in any way that affects delivery of the project, you must notify the Attorney-General's Department.

It is the responsibility of applicants to negotiate a sponsoring body.

3.3 What types of programs will be funded?

Programs must address one or more of the identified priority areas of the funding round (see section 3.5).

Programs should identify a specific issue or need within their own organisation's area of operations, community or locality. Applicants should demonstrate why the program is important and how it will specifically address the identified issue.

Preference will be given to programs which demonstrate long term benefits beyond the funding period.

3.4 Programs not eligible for funding

Funding will normally not be provided for the following purposes:

- development costs associated with an application (eg the cost of a survey to establish the need for a project)
- travel to conferences, fundraising or sponsorship
- programs that duplicate existing services in the same community that are accessible and address the needs of the target group
- retrospective or deficit funding (ie reimbursement of expenses incurred by an organisation prior to grant funds being approved, or meeting existing debts)
- large-scale capital equipment and capital works, including the purchase or lease of land and/or purchase, construction or maintenance of buildings and vehicles. (This does not include security-related infrastructure, such as CCTV or fencing.)
- funding for individuals (e.g. scholarships or individual personal security)
- an applicant organisation's ongoing administration or running costs (however, administrative costs will be considered if directly and exclusively associated with the establishment or administration of the specific program), or
- organisations which have not fulfilled previous grant requirements including acquittal reports and evaluations, or organisations or programs previously where funding was retracted by State/Territory or Australian Government agencies due to performance and/or integrity issues.

3.5 Priority areas for this year's funding round

Programs should address one or more of the following areas:

Indigenous Prisoner Throughcare (meaning the provision of coordinated and integrated treatment and support for prisoners covering the period after they enter custody through to their release into the community).

Crime Prevention, including:

- diversion or prevention projects
- early intervention projects with families, children and schools
- environmental crime
- youth crime
- property crime such as robbery, domestic burglary and motor vehicle theft

- fraud and scams
- crime prevention for seniors (personal and financial security)
- fear of crime
- family and domestic violence
- anti-social behaviour, and
- security related infrastructure

4 Selection Criteria

Programs will be assessed against the following selection criteria:

- eligibility of the applicant organisation
- eligibility of the proposed project – (i.e. it falls within one of the two areas of funding; Indigenous throughcare or crime prevention)
- the demonstrated need and potential impact of the proposed project
- the likely benefit to Indigenous prisoners and/or the crime prevention benefits of the project
- that the project has been initiated and planned, and will be implemented, by a core group of local people that is representative of the diversity of the community and that has the ability to plan, implement and evaluate projects
- how the effect/success of the project will be measured
- demonstrated community/key stakeholder involvement and/or support for the project
- agreement/s with any community groups involved in the project (these should be documented)
- enduring value or ongoing benefits to the community
- demonstrated capacity of the organisation to successfully manage a project and administer grant funds
- consistency with proven good practice

Local Indigenous support

Applications for projects in Indigenous communities or for Indigenous people need to demonstrate that they have the support and agreement from appropriate Indigenous communities and community leaders.

Support for Throughcare programs

Applications for throughcare programs need to demonstrate that they have the support and agreement from their local prison/detention centre and any relevant post release service provider.

5 Lodgement of Applications

The closing date for applications is **5:00pm on 20 March 2009**.

Early submission of applications is encouraged.

It is the responsibility of the applicant organisation to submit a clear and complete application and ensure that the application is postmarked on or before the closing date.

Late applications will not be considered.

The Attorney-General's Department is not able to assist organisations with the cost of applying for grants. Applicants are responsible for all the costs of preparing and lodging their application and for the costs of answering the Attorney-General's Department's requests for further information or clarification.

The Attorney-General's Department is able to provide limited telephone assistance to applicants with queries on completion of the application form.

Application kits and other information for receiving funding under the POCA can be downloaded from <www.crimeprevention.gov.au>. Alternatively you can call (02) 6250 6711 or e-mail your request for a kit to <POCA@ag.gov.au>.

Applications must be:

- Submitted unbound on the official forms provided, include all requested information and address the selection criteria - *supporting documents may be attached*, however, please do not include any cds or other non-print material
- Submitted in hardcopy (one original and three copies)
- Received in full, and
- Post marked on or before the closing date.

Note: *faxed or e-mailed applications will **not** be accepted.*

Please mail completed applications to:

POCA 2009 NGO Funding Round
Crime Prevention Section
Strategic Policy Coordination Branch
Criminal Justice Division
Attorney-General's Department
Robert Garran Offices
National Circuit
BARTON ACT 2600

Applicants are also responsible for promptly advising the Attorney-General's Department if there are any changes to the information provided or any other changes that will affect their application.

6 Conflict of interest

You must indicate any potential conflict of interest arising from the proposal. A perception of conflict of interest can arise if an individual (or their family members) associated with the application receives a direct benefit from a project.

Where the Department has established from information provided by the organisation or otherwise that a conflict of interest exists, this may be grounds for excluding the project from consideration.

If there is a possible perception of a conflict of interest, a statement addressing this should be included in the application, demonstrating why a conflict of interest should not impact on the organisation's application for funding.

7 Assessment Process

All organisations applying for funding in this round will be required to submit a full application.

All completed applications for grants will be registered and acknowledged.

Incomplete applications may not be assessed.

The Department will undertake an assessment of all complete and eligible applications received. The Department may contact applicants for clarification or to discuss a particular aspect of the project proposal.

The Department will take into account the program's merits against the selection criteria when making their recommendations. The Department will make recommendations to the Minister for Home Affairs, who will make the final decision regarding successful applications.

Successful applicants will normally be announced by the Minister for Home Affairs. Successful and unsuccessful applicants will be notified in writing at the conclusion of the round.

8 Requirements for funding

8.1 Standards of behaviour of organisation's staff

The Department expects that the behaviour and conduct of an organisation successful in their application for funding will reflect positively on the Department. Those involved in managing or delivering services under the project should act honestly, ethically and professionally, avoid activities which might jeopardise the grant, and comply with all relevant Australian laws.

If your organisation becomes aware of any person involved in managing or delivering the Department's funded services under the Funding Agreement who does not meet these standards, you are required to notify the Department and remove the person from any role in administering the funding.

8.2 Appropriate salary levels of staff

Your organisation must ensure that all staff are paid at an appropriate salary for their skills and qualifications and in accordance with relevant legislation.

9 What happens if an offer of funding is received?

If your organisation is successful in receiving an offer of funding, the Attorney-General's Department will negotiate a Funding Agreement with you based upon your successful program proposal and the amount of funding awarded.

10 Successful applications

The number of successful programs will depend on the number and quality of applications received that address selection criteria, the amount of funding sought, and the amount of funding available under the round (for this February round the total amount available is \$6 million).