

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group 3

Program 1.6

Question No. 8

Senator Hanson-Young asked the following question at the hearing on 23 May 2012:

Senator HANSON-YOUNG: ... What about the numbers of people who are waiting for their actual day in court but have been charged?

Mr I Anderson: I believe that there are five people currently before the courts actively claiming to be minors.

Senator HANSON-YOUNG: They are not included in your review of 22 though, are they?

Mr I Anderson: No, they are not included in the review because they have not been convicted, but if something comes into the hands of the Commonwealth that raises sufficient doubt then the Director of Public Prosecutions, who has that decision, is likely to discontinue their case.

Senator HANSON-YOUNG: What type of facilities are those five currently being held in?

Mr I Anderson: I would have to take that on notice.

Senator HANSON-YOUNG: Could you, please. That would be helpful. Could you also take on notice how long those people have been in some form of detention—that is, when did they arrive in Australia and then, subsequently, when were they charged?

Mr I Anderson: Certainly.

Senator HANSON-YOUNG: Thank you.

The answer to the honourable senator's question is as follows:

As at 23 May 2012, four of the five crew claiming to be minors were being held in immigration detention. The other one was on remand in Queensland's Arthur Gorrie prison.

	Interception date	Arrest date	No of days under investigation	No of days before court*
1	23/07/2011	4/11/2011	104	83
2	31/07/2011	4/11/2011	96	201
3	1/10/2011	24/01/2012	115	120
4	1/10/2011	24/01/2012	115	120
5	18/10/2011	2/02/2012	107	111

*As at 23 May 2012