

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Questions No. 88

Senator Cash asked the following questions at the hearing on 22 February 2011:

- a. Has the Australian government been in discussions with Indonesia about identified people smuggler Haydar Khani? If so, when did these discussions occur, what is the nature of these discussions?
- b. Has Haydar Khani been charged? If so, with what has he been charged? If not, why not?
- c. Will Haydar Khani be extradited to Australia? Will his Australian citizenship be revoked? If not why not?
- d. What was Haydar Khani's involvement with SIEV 221? If he was involved will he be charged following the deaths that occurred? If so, with what will he be charged, if not why not?
- e. How many people living in Australia have been identified by the authorities as operating people smuggling networks? Have any had their visas or citizenship cancelled?

The answers to the honourable senator's question are as follows:

- a. The AFP has been in discussion with the Indonesian National Police regarding Heydarkhani's alleged involvement in people smuggling ventures. This matter relates to an ongoing criminal investigation and it would therefore not be appropriate to comment further.
- b. As this relates to an ongoing criminal investigation, it would not be appropriate to comment further.
- c. International extradition falls within the responsibilities of the Attorney-General's Department. Matters relating to revocation of citizenship fall within the responsibilities of the Department of Immigration and Citizenship (DIAC) and should be referred to that Department.
- d. Criminal investigations by Australian law enforcement authorities into SIEV 221 are ongoing and it is inappropriate to comment further.
- e. The AFP has a number of active investigations into persons suspected of facilitating people smuggling ventures to Australia.

Cancellation of visas is a matter for DIAC.