

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

Program 1.2

Question No. 70

Senator Hanson-Young asked the following question at the hearing on 18 October 2011:

How many illegal foreign fishers under the age of 18 are currently being held in jail?

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

Under the *Prosecution Policy of the Commonwealth*, ordinarily the public interest will not require the prosecution of a juvenile who is a first offender in circumstances where the alleged offence is not serious.

Due to the Prosecution Policy in relation to juveniles and the typically short duration of sentences for illegal foreign fishing offences, there may be no people aged under 18 in jail for illegal fishing offences. However, as all people imprisoned for federal offences are held in State and Territory prisons, the Commonwealth is seeking information on this matter from State and Territory corrective services authorities.