

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

Program: Australian Federal Police

Question No. SBE16/005

Senator Kakoschke-Moore asked the following question at the hearing on 17 October 2016:

Senator KAKOSCHKE-MOORE: My questions are directed to the AFP and they are in relation to section 474.26 of the Criminal Code Act 1995, which is the section in relation to an adult using a carriage service with the intention of procuring a child under the age of 16 in order to engage in sexual activity, otherwise known as the grooming role. In the past financial year how many charges have the AFP laid in relation to section 474.26 of the Criminal Code Act 1995?

...

Senator KAKOSCHKE-MOORE: Thank you. You may also need to take on notice the next two questions. How many convictions have resulted from these charges?

Mr Colvin: We will take that on notice.

...

Mr Colvin: We will have to take all of that on notice. We can get that.

Senator KAKOSCHKE-MOORE: Thank you. Does the AFP have any records of the number of investigations conducted under section 474.26 which were unable to proceed due to insufficient evidence in relation to an intention to engage in sexual activity with a child?

Mr Colvin: We would. Every investigation we open, regardless of whether it ends with a prosecution, we have a record of. It may be quite manual for us to go back through and search, but I think we should be able to do that and we will take that on notice.

Senator KAKOSCHKE-MOORE: Thank you very much.

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

- 33 defendants were charged during last financial year with at least one offence against s474.26: Using a carriage service to procure a person under 16 years of age
- 23 defendants (17 State police matters, 6 AFP matters) whose matters were finalised during last financial year were convicted of at least one offence against s474.26: Using a carriage service to procure a person under 16 years of age
- All matters referred to CDPP where evidence in relation to 474.26 offences was identified, were proceeded with.