

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

**Program:** Australian Federal Police

**Question No. SBE16/011**

**Senator McKim asked the following question at the hearing on 17 October 2016:**

Senator McKIM: To the extent that you have a record, I will put that on notice. I want to move to another matter now. There have been conflicting reports about an AFP investigation into alleged payments from Australian company Getax to family members of senior members of the Nauruan government. Is or was the AFP investigating that matter?

Mr Colvin: That is a current ongoing investigation, yes.

Senator McKIM: The Nauruan police commissioner, Mr Kaleb, put out a statement in response to an ABC 7.30 report that said it has been incorrectly reported that the AFP are investigating this matter. Is Mr Kaleb wrong?

Mr Colvin: It is an ongoing matter so I am going to be a little careful, but I do remember the report. What the commissioner of the Nauru Police Force was saying is that the AFP is not investigating offences in Nauru or is not investigating officials in Nauru. We are investigating a matter that breaches Australian law and we are investigating under the Australian jurisdiction.

...

Mr Colvin:... Coming back to your first point, I do believe that the context of the ABC report was about a particular individual in Nauru who is not the subject of our investigation because there is no allegation that he has breached Australian law.

Senator McKIM: Who is the subject of your investigation?

CHAIR: Well, I am not sure that that—

Senator McKIM: Well, the commissioner is doing okay without you running interference for him.

CHAIR: It is not a question of running interference; it is a question of appropriate questions to this estimates committee inquiry into the expenditure of Commonwealth government money.

Senator McKIM: Well, in fact, operational matters are covered.

CHAIR: I am not sure that operational matters and matters that relate to naming people being investigated are appropriate to this committee.

Senator McKIM: Well, the commissioner is entitled to respond as he wishes. I will put the question again: who is the investigation into?

Mr Colvin: There is a lot of material on the public record about that matter and the media report on it often. I am happy to provide material that helps clarify inaccuracies. I am not going to talk about specifics of the investigation.

Senator McKIM: Thank you.

**FURTHER QUESTIONING:**

Senator McKIM: Thank you, Commissioner. I appreciate that. I have a couple of questions on the Getax investigation; I think you said you will take on notice whether you did request assistance from the Nauru police in that matter?

Mr Colvin: Correct.

Senator McKIM: Could I ask that that include the dates and the nature of any request or requests made, to the extent that you are—

Mr Colvin: I think I would be reasonably comfortable to give dates, but 'nature' would probably get to the specifics of the investigation. We will certainly consider the question and answer it.

Senator McKIM: Thank you. I appreciate that.

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

Between February 2012 and March 2013, AFP investigators engaged the Nauru Police Force on a police-to-police basis to determine if the alleged recipients of bribes, paid by Getax Australia Proprietary Limited, were Nauruan public officials at the time. No subsequent requests for assistance were made to the Nauru Police Force after March 2013.