

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

Program: Australian Federal Police

Question No. SBE16/014

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

Ms Saunders: Thank you, Senator, for the question. Just to clarify, of those matters that were reported in the media, 14 incidents were referred to the Nauru police. Of those 14, nine are closed due to insufficient evidence to proceed; one investigation is closed as the complaint was withdrawn; one investigation revealed no evidence committed; two investigations remain open pending further information; and one investigation resulted in the charging of a suspect with an assault offence, and the matter is still before the court.

...

Senator McKIM: I want to tidy up a couple of matters relating to the referrals to Nauru police of the allegations regarding assaults on people currently on Nauru who are seeking asylum in Australia. I think Ms Saunders told the committee that there were nine cases that were closed. Are you able to provide any information today and, if not, would you take on notice the specifics of why those investigations were closed?

Ms Saunders: I cannot answer that specifically, but we are happy to provide as much information as is available to the AFP.

Senator McKIM: All right, and you will take that on notice?

Ms Saunders: Yes.

Senator McKIM: Thank you. Were there any concerns that the AFP is aware of that were raised around the cooperation levels of either the Department of Immigration and Border Protection or the contractors at the Nauru camp?

Ms Saunders: No.

Senator McKIM: You are not aware of any concerns that were raised. Okay, thank you. You said there were 14 matters referred to the Nauru police—is that the sum total of referrals that the AFP is aware of?

Ms Saunders: As they relate to The Guardian newspaper release matter, yes.

Senator McKIM: Are there others that the AFP is aware of that do not relate to the so-called Nauru files?

Ms Saunders: There may be. I do not have those facts before me. I am happy to take that on notice.

Senator McKIM: Thank you, I appreciate that.

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

AFP in Nauru is mandated to provide mentoring, advisory and training support to the NPF and does not have an executive policing role in Nauru. As such, AFP does not monitor all referrals directed to the NPF, which are often directed to individual police officers within the NPF. AFP understands that many of these referrals are information reports that do not constitute offences.

For this reason, AFP is not in a position to provide comprehensive statistics on all refugee/asylum seeker matters referred to the NPF.

Further questions regarding the referral process, along with the number and status of referrals, should be directed to the Commonwealth Department of Immigration and Border Protection.