

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
AUSTRALIAN FEDERAL POLICE

**Question No. 148**

**Senator Ludwig asked the following question at the hearing on 17 February 2006:**

Further to the reply to Question 289 of 31 October 2005:

- a) Is the people smuggling taskforce or strike team a part of the trans-national crime coordination centre and if not, why not?
- b) How many referrals were made by Commonwealth and state government agencies to the Crime Liaison and Evaluation team in 04-05?
- c) Please indicate which department or agency they came from?
- d) How many were investigated?
- e) How many resulted in charges?
- f) Of those charges, how many resulted in prosecutions?
- g) Of those prosecutions, indicate how many resulted in a verdict of:
  - i) Guilty
  - ii) Not guilty
  - iii) Nolle prosequi
  - iv) Charges dropped
  - v) Mistrial (what was the result on retrial)

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

- a) The AFP Transnational Crime Coordination Centre (TCCC) is part of the Intelligence function and operates a monitoring service and a 24-hour response team which coordinates the flow of operational information between the AFP and international partners.

The People Smuggling Strike Team (PSST) is not a part of the TCCC as it is an investigative team and comes under the command and responsibility of the Border & International Network function. The PSST is supported by the Intelligence function through the work of the People Smuggling Intelligence Team (PSIT).

- b) In the financial year 2004-05, the AFP received a total of 15 referrals of the Incident Type *People Smuggling*. Referrals were generated in the Client Liaison & Evaluation Teams in the following AFP offices:
  - Adelaide
  - Cairns
  - Canberra
  - Melbourne
  - Perth
  - Sydney
- c) Six of the 15 cases were "internally generated" by the AFP. The client agency for eight of the nine remaining cases was, as it was known then, the Department of Immigration, Multicultural & Indigenous Affairs, while the client agency for the remaining one case was the Australian Security Intelligence Organisation.

- d) 14 of the 15 referrals were investigated. The other matter was rejected due to the fact that the allegations were of a comparatively minor nature, and AFP resources were diverted to higher priority matters.
  
- e) Three referrals resulted in charges:
  - i) AFP case 3349114: Three male persons were charged with a total of six offences against the *Migration Act 1958*;
  - ii) AFP case 3398379: One male person was charged with two offences against the *Migration Act 1958*; and
  - iii) AFP case 3364736: One male person was charged with three offences against the *Migration Act 1958*.
  
- f) All of the listed charges in answer e) resulted in prosecutions.
  
- g) AFP case 3349114: Verdict of guilty on all counts;  
AFP case 3398379: Verdict of guilty on both counts; and  
AFP case 3364736: Matter is still before the courts.