

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 110

Senator Cash asked the following question at the hearing on 14 February 2012:

On 24 October 2011, it was reported that specialist police officers from Perth travelled to Christmas Island to investigate reports of a sexual assault on board on an asylum seeker boat that had arrived a few days earlier. Allegedly a woman on one of the three boats intercepted had told officials she was assaulted by other people while at sea. What has happened to these allegations? Have they been investigated? Has anyone been charged? Will the department be recommending to the Minister that anyone involved in this assault be refused a visa under the provisions of s.501?

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

1. What has happened to these allegations? Have they been investigated?

About 12pm Friday 21 October 2011 CI Police were advised of an alleged sexual assault on board a SIEV that had been boarded by Customs on the 18 October in International Waters. The Australian Federal Police (FP) formally sought support from Western Australia Police (WAPol) which agreed to send officers onto CI to investigate the allegations.

2. Has anyone been charged?

On 8 November 2011 WAPol advised the AFP of the outcome of its investigation into this matter.

WAPol did not find evidence to support the allegations, and as such the matter has been finalised without charges being laid.

3. Will the department be recommending to the Minister that anyone involved in this assault be refused a visa under the provisions of s.501?

If a person is convicted of an offence relating to this alleged incident, they will have those convictions considered against the s501 character powers before they are granted a visa. On the basis the WA Police did not find evidence to support the allegations no prosecution was commenced and therefore the provisions of s501 are not applicable.