SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 61

Senator Brandis asked the following question at the hearing on 12 February 2013:

1. Referring to the case of Captain Emad, also known as Ali Al Abbasi and Abu Kalid, who fled Australian on 5 June 2012, a day after the ABC's Four Corners program linked him to a people smuggling operation and revealed he was working a supermarket trolley supervisor at a Canberra shopping centre.How long had the AFP been investigating Captain Emad?

2. What is the usual practice when the AFP are investigating someone who is on any kind of visa? Is DIAC usually informed?

3. Why was DIAC not informed that Captain Emad was a people smuggler? Assuming they had known he was a people smuggler they would have cancelled his visa and put him back in immigration detention? Is this a reasonable assumption?

4. Does the AFP know of his whereabouts currently? Are there any efforts being made with overseas law enforcement counterparts to have him extradited back to Australia to face people smuggling charges?

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

1. The Australian Federal Police (AFP) commenced an investigation into an alleged people smuggling syndicate including Captain Emad, in January 2010.

2. Intelligence and information is shared with other agencies on a case by case basis.

3. Department of Immigration and Citizenship (DIAC) has a member attached to the AFP People Smuggling Strike Team that investigates such matters. The investigation into this alleged syndicate had not established sufficient evidence against any person.

   It is not appropriate for the AFP to speculate on matters relating to the cancellation of visas or return to detention or otherwise as this is a matter for the DIAC.

4. It is not appropriate for the AFP to comment on its intelligence or operational activities.

   As the Attorney-General's Department are the lead agency on extradition matters, questions about extraditions should be referred to them for an appropriate response.