

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 77

Senator Barnett asked the following question at the hearing on 26 May 2009:

In 2007-08 Customs made 630 detections of objectionable material involving 10,441 individual items. 14 prosecutions followed on from these detections, including six for possession of child exploitation material.

- a) Of those 14 prosecutions, how many were successful?
- b) Can the Committee be provided with more detail surrounding the 14 prosecutions?
- c) Provide a breakdown of the type of material that was apprehended.

Provide the same figures as requested above for the 27 prosecutions conducted this financial year.

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

- a) Of the 13 prosecutions (not 14 as initially stated - a duplicate was detected in the statistics), 12 were successful.
- b) Further detail of the 13 prosecutions is provided in the table below.

Age	Gender	Import/Export	Media	Case Status
48	M	Import	1 DVD	Unsuccessful Prosecution
25	M	Import	4 DVDs	Successful Prosecution
43	M	Import	1 external hard drive	Successful Prosecution
50	M	Import	1 DVD	Successful Prosecution
28	M	Import	1 DVD	Successful Prosecution
26	M	Import	2 DVDs	Successful Prosecution
26	M	Import	1 laptop computer	Successful Prosecution
49	M	Import	1 laptop computer	Successful Prosecution
39	M	Import	2 DVDs	Successful Prosecution
35	M	Import	1 external hard drive	Successful Prosecution
55	M	Import	243 DVDs	Successful Prosecution
42	M	Import	1 laptop	Successful Prosecution
25	M	Import	1 external hard drive	Successful Prosecution

- c) A general description of the categories of material for the 13 prosecutions in 2007-08 is shown in the table below.

No. of Prosecutions	Category of material
6	Goods that describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent they should not be imported
6	Goods that describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or who appears to be, a child under 18
1	Goods that promote, incite or instruct in matters of crime or violence

For the Financial Year 2008-09 to date

- a) Of the 26 prosecutions (not 27 as initially stated - a duplicate was detected in the statistics), all were successful.
- b) Further detail of the 26 prosecutions is provided in the table below.

Age	Gender	Import/Export	Media	Case Status
27	M	Import	2 memory cards	Successful Prosecution
45	M	Import	1 USB stick	Successful Prosecution
30	M	Import	9 DVDs	Successful Prosecution
26	M	Import	1 laptop computer	Successful Prosecution
49	M	Import	11 DVDs	Successful Prosecution
56	M	Import	11 DVDs	Successful Prosecution
45	M	Import	8 DVDs	Successful Prosecution
45	M	Import	1 laptop computer	Successful Prosecution
40	M	Import	Various DVDs and CDs	Successful Prosecution
23	M	Import	1 laptop computer	Successful Prosecution
29	M	Import	1 DVD	Successful Prosecution
33	M	Import	Various electronic media	Successful Prosecution
25	M	Import	52 DVDs	Successful Prosecution
44	M	Import	2 DVDs	Successful Prosecution
29	M	Import	1 external hard drive	Successful Prosecution
55	M	Import	1 DVD	Successful Prosecution
67	M	Import	1 laptop computer	Successful Prosecution
25	M	Import	1 laptop computer	Successful Prosecution
59	M	Import	6 DVDs	Successful Prosecution
15	M	Import	2 DVDs	Successful Prosecution
21	M	Import	1 laptop computer	Successful Prosecution
44	M	Import	1 laptop computer	Successful Prosecution
50	M	Import	6 USB sticks	Successful Prosecution
25	M	Import	1 DVD	Successful Prosecution
52	M	Import	35 DVDs	Successful Prosecution
33	M	Import	37 anime/manga video games	Successful Prosecution

- c) A general description of the categories of material for the 26 prosecutions in 2008-09 is shown in the table below.

No. of Prosecutions	Category of material
7	Goods that describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent they should not be imported
18	Goods that describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or who appears to be, a child under 18
1	Goods that promote, incite or instruct in matters of crime or violence