

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 44

Senator Brandis asked the following question at the hearing on 26 May 2011:

Senator BRANDIS: Thank you very much. Were there any accelerants found in the centre?

Mr Colvin: I am not sure that there were, but again that is still subject to investigation.

Senator BRANDIS: Will you take that on notice, please?

Mr Colvin: We will need to be careful with what we can respond to you on notice.

Senator BRANDIS: I understand that, of course, but I want you to consider the matter and if you want to raise an objection then you will say that in your response. These are all time limited issues because once a decision has been made in a particular case, for example not to prosecute, then the matter becomes moot. Once a decision has been made to prosecute, if there is an acquittal, the matter becomes moot; and if there is a conviction, after the appeal period has expired or run its course, the matter becomes moot. So, sooner or later you will be in a position to comply with these requests but I perfectly understand why, in relation to cases currently under investigation for prosecution, you might take the objection for the time being.

Mr Colvin: No, I understand that and we will do our best to answer the question.

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

As this is still an ongoing investigation, the AFP is not able to comment on the details of what was or was not found in the Christmas Island Detention Centre.