

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN FEDERAL POLICE

Question No. 253

Senator Heffernan asked the following question at the hearing on 31 October 2005:

Since July 1994, how many of those prosecuted under child sex tourism legislation in Australia have also been prosecuted under the relevant foreign legislation.

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

Australian Child Sex Tourism legislation allows, in certain circumstances, for the prosecution of Australians who commit child sex offences overseas. However, this legislation is designed to complement legislation in other countries.

Since the introduction of this legislation in July 1994 no persons prosecuted under this legislation have been prosecuted under foreign legislation for the same offences. This legislation and complementing foreign legislation is governed by the Double Jeopardy rule which prevents a person being prosecuted twice for the same offence regardless of the jurisdiction in which they were first prosecuted.