

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Output 2.1

Question No. 40

Senator Stott-Despoja asked the following question at the hearing on 31 October 2005:

Understanding that the Australian Government cannot interfere in a foreign judicial hearing, what are the steps the Government takes to ensure all Australian citizens receive a fair trial abroad and are treated in accordance with international agreements such as the Universal Declaration of Human Rights?

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

The Attorney-General's Department does not have a direct role in individual cases in ensuring that Australian citizens receive a fair trial abroad and are treated in accordance with international agreements such as the Universal Declaration of Human Rights.

However, the Department assists the Attorney-General to administer the Special Circumstances (Overseas) Scheme of financial assistance. Australians detained overseas, who are facing the death penalty or a very lengthy term of imprisonment and who meet the scheme criteria, may be eligible to receive funding to cover overseas legal and related costs.