

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

**Question No. 78**

**Senator Xenophon asked the following question at the hearing on 19 October 2009:**

What documentation was provided by Customs to the Australian Federal Police regarding its initial investigation (and any other investigation) into Mr Allan Kessing?

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

The Australian Customs and Border Protection Service provided to the Australian Federal Police, in accordance with the provisions of the *Commonwealth Fraud Control Guidelines 2002* and through the then Minister for Justice and Customs, the Hon Chris Ellison, a referral letter and attachments.

The referral letter incorporated a chronology of events leading to the publication of an article in *The Australian* on 31 May 2005. The chronology made reference to Mr Kessing as having been involved in the production of the report. Customs Internal Affairs Unit did not undertake an independent investigation into Mr Kessing.