

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

**Question No. 79**

**Senator Fierravanti-Wells asked the following questions at the hearing on 19 October 2009:**

In relation to the SIEV 36:

- a) Why did the investigation take so long?
- b) Why was only part of the video footage publicly released?
- c) If as reported, it is believed a fire was deliberately lit on the boat, why can the Police not find out who was responsible?

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

- a) The Northern Territory Police (NT Police) conducted the investigation. The reasons for the time taken to conduct the investigation are a matter for the NT Police.
- b) The video and still images released by Defence and Border Protection Command were cleared for release by the Northern Territory Coroner (NT Coroner). To date the NT Coroner has not been prepared to release any further video, stills or information on SIEV 36. This has been due to the need to preserve the integrity of their investigation, which includes an open homicide investigation by the NT Police.
- c) On 1 October 2009 the NT Police issued a statement stating that there is at present insufficient evidence to charge any person with criminal offences relating to the explosion. This decision is based on an assessment of the evidence by the NT Police.