



Crimes at sea: clarity needed in legislation

A leading expert in maritime law, Dr Kate Lewins, will give evidence at a public hearing on Thursday 1 November about the adequacy of Australia's legislative regime for dealing with criminal activity aboard cruise ships. The public hearing is part of a new inquiry into the arrangements surrounding crimes committed at sea being conducted by the House of Representatives Standing Committee on Social Policy and Legal Affairs. The focus of the inquiry is on crimes against the person, which includes fatal, non-fatal and sexual offences.

In her recent work, Dr Lewins has written extensively on the legal protections afforded to passengers on cruise ships. She has concerns that the activities of ships operating in Australian waters are not adequately regulated, and is of the view that Australia is within its sovereign rights to impose conditions on ships for entry into port in order to offer greater protections for Australian travellers.

Similar regulation of the cruise industry has been implemented in the United States by way of the 'Kerry Act', which focuses on measures to prevent crime and overboard incidences, harm minimisation measures (including medical and crime scene preservation training) and improved transparency in the reporting of crimes at sea. Previously, the Australian Government has expressed concern that adopting this approach could be inconsistent with international conventions on the right of innocent passage for foreign flagged vessels in Australia's territorial waters.

The Committee Chair, Mr Graham Perrett MP, noted that 'while Australia has a well-established and comprehensive regime to investigate and prosecute crimes committed on land, the issue is more complex for crimes at sea. The Committee will scrutinise current jurisdictional arrangements with a view to ensuring clarity and coverage'.

Mr Perrett said that 'in Australia there have been high profile cases, namely the case of Ms Dianne Brimble, which have drawn into question the adequacy of the reporting, investigation and prosecution of alleged crimes committed at sea'. Mr Perrett added that 'the Committee understands that victims of crimes at sea will be important contributors to the inquiry, and special hearings for victims will be held during 2013.'

The hearing will be broadcast live from Committee Room 1R3, Parliament House, Canberra from approximately 9:00am on Thursday 1 November via: <http://webcast.aph.gov.au/livebroadcasting/>

For the information about the inquiry, including the Terms of Reference and advice on making submissions, see the Committee's website at www.aph.gov.au/crimesatsea or contact the committee secretariat on **(02) 6277 2358**.

For media comment , please contact the Committee Chair, Mr Graham Perrett MP, on (07) 3344 2622 or 0434058200.	
For background information , please contact the Secretariat of the Committee on Social Policy and Legal Affairs:	
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