

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
AUSTRALIAN FEDERAL POLICE

**Question No. 237**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

What resources are in PNG?

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

As at 17 February 2005 the AFP had 136 members deployed to mission in PNG. The breakdown is as follows:

- **19** AAP on Bougainville (full strength), with the new DFAT Advisor to commence on 17 March 2005;
- **46** AAP members deployed to uniform duties Port Moresby;
- **43** AAP members deployed to Criminal Investigations, Prosecutions, Communications, Forensic Services, National Fraud and Anti- Corruption, Transnational Crime, Traffic and Criminal Records;
- **14** AAP support staff deployed to Royal Papua New Guinea Constabulary (RPNGC) working at RPNGC HQ;
- **13** AAP support staff; and
- **1** IT specialist.

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**Question No. 238**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

- a) Can the AFP explain what arrangements are in place for paying extra salary or allowance to AFP personnel serving overseas in dangerous areas?
- b) What's the value of that allowance per day?

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

- a) AFP personnel serving overseas are remunerated differently, commensurate with the threat level accorded to the environment. International Deployment Group deployments are remunerated for threat purposes in accordance with the Defence Intelligence Organisation (DIO) threat assessment level. Other overseas deployments, not subject to DIO assessment, have remuneration outcomes included within the overall employment remunerative package.
- b) Cited as Determination No. 8 of 2004.

**Rates of Mission Allowance**

For the purpose of clause 17 (Mission Allowance), the rates of Mission Allowance are as follows:

Situational Hazards

<b>Threat Level</b>	<b>Daily rate of allowance</b>
Very Low	-
Low	\$11
Medium	\$21
High	\$31
Very High	\$41

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**Question No. 239**

**Senator Ludwig asked the following question at the hearing on 15 February 2005.**

Has the AFP finished its survey into sexual slavery in Queensland?

- a) Are the results of the survey going to be made publicly available?
- b) If so, what was the outcome of the survey, and please provide a copy of the results.

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

Yes.

- a) No, as the final report is a classified document, its dissemination will be restricted to appropriate law enforcement agencies only.
- b) Refer to answer a).

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**Question No. 240**

**Senator Ludwig asked the following question at the hearing on 15 February 2005.**

How many calls has the hotline (1800 813 784) received?

- (a) Have any arrests or further investigations resulted from any call made to the hotline?"
- (b) How long has it been operating?
- (c) How long is it intended to operate?
- (d) Have any similar phone surveys been used in the past to detect criminal activity?
  - (i) How successful have they been?
  - (ii) What types of crimes were they operated to detect?
- (e) How much does it cost to operate?

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

In December 2003 Child Wise (the Australian arm of ECPAT, End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes) initiated an advertising campaign called *Don't Let Child Abuse Travel*, launched by Commissioner Keelty.

There have been 25 calls received in relation to alleged child sex tourism offenders.

The 1800 813 784 hotline is also used to receive calls for the Drug Intelligence Reporting Centre (DIRC) as well as Australian nationals missing overseas. The majority of calls received on the hotline are in relation to the DIRC. Only a small portion of the calls received on the hotline each month are in relation to the *Don't Let Child Abuse Travel* initiative.

- (a) No arrests have been made to date from information passed to the *Don't Let Child Abuse Travel* hotline, however all calls received are assessed and where necessary investigated by the AFP Transnational Sexual Exploitation Trafficking Team (TSETT).
- (b) Since December 2003.
- (c) The *Don't Let Child Abuse Travel* hotline is ongoing.

(d) The *Don't Let Child Abuse Travel* hotline is more of a reporting service rather than a phone survey. Callers are given the option of remaining anonymous or providing their contact details. The AFP has similar reporting hotlines set up to cover other crime types such as the Drug Intelligence Reporting Centre (DIRC), Crimestoppers, the National Missing Person Hotline and Operation Paradox.

(i) Hotlines are another form of law enforcement intelligence gathering and have been very successful in providing information that may initiate the establishment of intelligence activities and investigations.

(ii) These hotlines receive information in relation to crimes against children, drug trafficking and Australians missing overseas.

(e) The AFP hotline costs an average of \$2,000-\$2,500 per month in phone charges to operate.

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**Question No. 241**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

How many investigations of sexual slavery involving children has the AFP conducted over the last five years (broken down into each year)?

a) Have there been any convictions resulting from any investigations?

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

A total of 5 allegations have been received by the AFP about underage persons working in the sex industry who are possibly the subject of trafficking and/or exploitation.

The breakdown by year shows:

2005 – Nil allegations to date.

2004 – Two. Inquiries were unable to substantiate the allegations and the matters have been finalised.

2003 – Three. Inquiries were unable to substantiate the allegations and the matters have been finalised.

2002 – Nil allegations.

2001 – Nil allegations.

a) No.

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**Question No. 242**

**Senator Ludwig asked the following question at the hearing on 15 February 2005.**

Is the article accurate in relation to the number of AFP officers posted overseas, and the minimum number of AFP agents located in Western Australia?

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

As advised by Commissioner Keelty at Additional Estimates hearing on 15 February 2005, as at December 2004 the total of all AFP overseas deployments was 481, including 77 State and Territory Police deployed to IDG initiatives.

As at 31 December 2004, the AFP had 137 staff located in Western Australia.

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**Question No. 243**

**Senator Ludwig asked the following question at the hearing on 15 February 2005.**

During the years 2001-02, 2002-03, and 2003-04, what were the minimum numbers of officers posted to each state, and in what months of the year did this occur?

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

The accompanying table shows the minimum numbers of AFP employees in each State and Territory, and the month this occurred in –

	2001-02		2002-03		2003-04	
	<b>Number</b>	<b>Month</b>	<b>Number</b>	<b>Month</b>	<b>Number</b>	<b>Month</b>
<b>NSW</b>	443	Sept 01	492	Jul 02	506	Jun 04
<b>VIC</b>	310	June 02	305	Jul 02	334	Apr 04
<b>QLD</b>	210	Feb 02	228	Jul 02	233	May 04
<b>WA</b>	140	Dec 01	151	Mar 03	139	May 04
<b>SA</b>	56	Jan 02	52	Sep 02	74	Feb 04
<b>TAS</b>	4	Apr 02	3	Aug 02	3	May 04
<b>ACT</b>	1460	Nov 01	1662	Jul 02	1741	Sep 03
<b>NT</b>	11	Apr 02	10	Jan 03	13	Mar 04



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**Question No. 244**

**Senator Ludwig asked the following question at the hearing on 15 February 2005.**

When AFP numbers in any state reach a particularly low level, what are the procedures for ensuring that the level of service that the AFP officers provide remains relatively stable?

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

The AFP applies a mature process to manage its operational demands and the quality of its service delivery. An Operations Committee (OC) consisting of operational and support managers meets in each AFP Office on a weekly basis to monitor and manage operational workflow and service quality. Part of this process involves the application of the AFP's Case Categorisation and Prioritisation Model (CCPM) which ensures that the AFP is focused on undertaking priority, high impact work and that appropriate resources are being applied to meet operational requirements. In addition to the Office OC process, the AFP conducts a weekly national OC meeting which ensures that resources and work demands are being considered at a national level and that resources are flexibly deployed between offices on a priority basis to meet operational requirements.

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**Question No. 245**

**Senator Ludwig asked the following question at the hearing on 15 February 2005.**

What percentage of AFP officers are currently serving overseas, and how has this number fluctuated over the last twelve months?

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

The accompanying table shows the percentage and numbers of AFP staff serving overseas since 30 September 2003 –

	<b>30 Sept 2004</b>		<b>31 Mar 2004</b>		<b>31 Dec 2004</b>	
	%	Number	%	Number	%	Number
AFP	7.9%	275	7.5%	259	9.2%	326
AFP PS	7.8%	96	7.4%	96	5.8%	78
Total	7.87%	371	7.46%	355	8.28%	404

Note : These figure include the AFP's commitment to peacekeeping and capacity building, and to its International Liaison Officer network.

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**Question No. 246**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

The article "Child sex predators watched closely" from *The Australian* dated 10 January 2005 says that the AFP has a watching brief on 155 Australian paedophiles.

- a) Where were these 155 names of paedophiles sourced from?
- b) What was the range of offences for which these paedophiles were convicted? (i.e. does this include those who had child porn on computers?).
- c) When was the watch list operational? Was it inaugurated at the request of Interpol, and if so, when did the request arrive?
- d) Can the AFP explain how the watch list works in terms of dealing with other Australian agencies, Interpol and foreign governments?
- e) Does the AFP know how many of these paedophiles undertook international travel post-conviction in 2004?
- f) Does the AFP know how many of these paedophiles moved into the tsunami affected area, post-disaster?
- g) Were any signs detected by the AFP of women and children from tsunami affected areas being used for trafficking?
- h) How many confirmed incidents were detected, and what were the locations?
- i) What steps were taken to alert the local authorities?"

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

- a) The 155 people reported by *The Australian* newspaper are those who the AFP are monitoring in relation to ongoing child sex tourism investigations and current intelligence activities.
- b) Not all people that are monitored by the AFP are convicted child sex offenders. Some of the persons who are monitored by the AFP have convictions for Commonwealth offences and State/Territory based offences against minors or overseas offences in relation to child exploitation.

Australia - Since the creation of offences in the *Crimes (Child Sex Tourism) Amendment Act 1994*, 19 people have been arrested in Australia. Of those investigations, 13 secured convictions, three prosecutions were dismissed and three matters are ongoing.

Overseas - Australian nationals apprehended overseas by foreign law enforcement in relation to the sexual exploitation of children, include:

- 33 persons charged,
- 10 persons convicted,
- 11 ongoing matters,
- 1 acquitted,

- 3 dismissed / withdrawn,
- 4 deported,
- 3 died before court proceedings had been completed, and
- 1 referred to Military Police for investigation.

- Countries where these Australian nationals have been arrested include:
  - Philippines (6)
  - Cambodia (3)
  - PNG (3)
  - Indonesia (Bali) (2)
  - Mexico (2)
  - Thailand (2)
  - India (2)
  - Sri Lanka (2)
  - US (2)
  - New Zealand (1)
  - Solomon Islands (1)
  - East Timor (1)
  - Samoa (1)
  - Canada (1)
  - Honduras (1)
  - Fiji (1)
  - Vietnam (1)
  - Sierra Leone (1)

- c) Since the Commonwealth's extra territorial legislation was enacted in 1994, the AFP has monitored persons of interest who may exploit children in foreign countries. Interpol did not request the AFP to monitor convicted and suspected traveling child sex offenders, however the AFP interacts regularly with Interpol on issues such as these.
- d) Further to the answer at c):
- The AFP uses its International Liaison Network to exchange information through police to police channels or when specific Mutual Assistance Requests are made and leverages off its MoUs and service agreements with relevant Commonwealth departments and all state and territory police to exchange relevant information and intelligence regarding suspected Child Sex Offenders.
  - Where a suspect is identified by the AFP upon returning to Australia, information is exchanged with the relevant State or Territory law enforcement agency, provided that information is not contrary to Australian privacy provisions.
  - Where a suspect is identified by the AFP as departing Australia for a foreign country, information is exchanged with the relevant Foreign Law Enforcement Agency, provided that information is not contrary to Australian privacy provisions.
- e) Not all people that are monitored by the AFP are convicted child sex offenders. It would be inappropriate to comment any further on the specific details on operational grounds.
- f) The AFP is aware of the potential for increased child trafficking and child sexual exploitation as many children in the tsunami affected areas are left without families.
- The AFP is not aware of any convicted child sex offenders undertook travel into the tsunami effected areas.
  - The AFP through its international network has officially offered assistance to Indonesia, Thailand, Myanmar, Sri Lanka and India.
  - Although it is impossible to prevent all potential travelling child sexual abusers the AFP, through overseas liaison and the ability to monitor movements of some known and suspected child sex tourism offenders, seeks to impede their ability to do so.
- g) The AFP is not aware of any incidents of women and children being trafficked after the tsunami. The AFP continues to work closely with the countries and are ready to provide assistance should our assistance be sought.

- h) The AFP is not aware of any.
- i) Should an incident be identified, the AFP would react immediately through notification to the relevant Foreign Law Enforcement Agency via the AFP International Liaison Network.

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**Question No. 247**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

Regarding the investigation into the theft of computer servers from Customs by two individuals who obtained fake identification, can you briefly outline the status of the case?

- a) Has anyone been charged?
- b) What was the estimated value of the stolen items?
- c) How are you progressing the case?
- d) Have you made any formal recommendations to Customs in relation to this case?

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

The investigation is complete and the case is in the process of being finalised.

- a) Yes. Two people were charged and have been convicted:
- b) The depreciated value of the two servers supplied by Compaq was \$2,761.80 in total.
- c) The investigation is finalised.
- d) A Post Operational Assessment is currently being conducted. Customs will be formally advised of any issues relating to them arising out of this assessment.

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**Question No. 248**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

Are any AFP agents currently deployed from Sydney to Newcastle?

a) If yes, how many and for how long?

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

Yes.

a) One agent has been deployed to Newcastle since July 2003 at Centrelink to support Centrelink's Cash Economy Team. It is a two year deployment.

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**Question No. 249**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

How many AFP agents have been deployed from Sydney to Newcastle since April 2003, and what time periods do these deployments cover?

- a) For what purposes have these AFP agents been deployed?
- b) Have any deployments been at the request of an agency such as Customs?
- c) How often are the services of AFP officers stationed at Newcastle requested by other government agencies (such as Customs, Immigration, etc.)?

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

The AFP has one full time agent stationed in Newcastle. Since April 2003 the AFP has deployed an additional 70 agents from Sydney to Newcastle and region to undertake investigations/enquiries. These deployments have ranged in length from one day to one week.

- a) 38 agents have been deployed in this period in relation to Centrelink referrals.  
9 agents have been deployed in this period in relation to Australian Taxation Office referrals.  
6 agents have been deployed in this period in relation to Australian Customs Service referrals.  
10 agents have been deployed in this period in relation to a NSW Parks and Wildlife referral.  
1 agent was deployed in this period to a Department of Foreign Affairs and Trade referral.  
6 agents have been deployed in this period in relation to a Transnational Child Sex Tourism matter.
- b) Refer to answer a).
- c) The outposted agent has been requested to facilitate inquiries in Newcastle and surrounding areas. The outposted agent has been requested to assist the following agencies:
  - Centrelink fraud related cases (27)
  - Australian Taxation Office cases (11)
  - Department of Immigration and Multicultural and Indigenous Affairs cases (6)
  - Australian Securities and Investment Commission case (1)
  - Maritime Safety Authority case (1)



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**Question No. 250**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

Regarding the documents concerning Mr Zentai that were forwarded to the AFP in December 2004.

- a) Did the AFP receive the documents on the 14th of December or the 15th of December last year?
- b) Did the Tel Aviv office of the AFP receive the documents relating to Charles Zentai?
- c) How many officers were assigned to that office on the day the documents were received?
- d) Was that office ever unoccupied over the Christmas break?
- e) Has the AFP received any other documents relating to Charles Zentai from any other sources?

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

- a) The AFP received the documents on 14 December 2004.
- b) The documents relating to Charles Zentai were received by the AFP Head Office in Canberra.
- c) Refer to answer b).
- d) Refer to answer b).
- e) No.

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**Question No. 251**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

Has the AFP previously investigated any cases resulting from information from the Simon Wiesenthal Centre?

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

The Simon Wiesenthal Centre has provided information to and sought information from the AFP. The AFP conducted an investigation in relation to the information provided by the Lithuanian authorities, about which the Simon Wiesenthal Centre also provided duplicate information to the AFP. In a strict sense the AFP has not commenced the investigation of any cases resulting from information from the Simon Wiesenthal Centre.

The AFP contributed to the War Crimes Special Investigation Unit (SIU) which operated from 1987 to 1992. The SIU examined evidence of alleged Nazi war criminals living in Australia. No convictions resulted from the investigations carried out by the SIU. The information compiled by the SIU has since been reviewed by the AFP with no further prosecutions resulting.

Since 1997 when the AFP commenced reporting against the specific crime type of War Crimes, the AFP has investigated 9 such matters. These have included allegations arising from both World War II and the conflict in the former Yugoslavia. No prosecutions have resulted from these investigations to date.

The AFP continues to respond to new information provided on alleged war criminals in Australia and pursue investigations within the current legislative framework.

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**Question No. 252**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

What were the causes of the three disciplinary actions taken against the three AFP employees?

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

One of the members claimed overtime which they did not work. This member also claimed overtime without first seeking the approval of their team leader and also claimed overtime for which they were not entitled. This member also failed to comply with administrative responsibilities for a criminal brief of evidence.

The second member also claimed overtime for which they were not entitled and authorised the overtime for the first member, knowing they were not entitled to this overtime.

The third member subject of disciplinary action was in relation to an alleged assault arising during the performance of their duties. During the course of the Professional Standards investigation, the member attempted to coerce other AFP members to provide false information.

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**Question No. 253**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

Variance in actual revenue –vs – actual expense was predominantly due to the delay in PNG Deployment:

- a) How much was budgeted for PNG deployment in each output?
- b) How much did this equate to, and in which outputs?
- c) To date has that money been spent?
- d) If not, how much has been spent?
- e) Please provide a breakdown of the expenditure to date
- f) What parts of the deployment were delayed?
- g) Were any parts of the deployment unable to go ahead?
- h) Why was the deployment delayed, and when was it originally delayed?
- i) When did the deployment begin?
- j) What stage is the deployment at currently?
- k) Have there been any further delays in the deployment?
- l) When is it expected to be completed?
- m) How many personnel have been deployed?
- n) How many are expected to be deployed?
- o) Please provide a breakdown into sworn and unsworn personnel?
- p) What services is the AFP currently providing in relation to the deployment to PNG?
- q) Was the unused expenditure for the PNG deployment rolled over into 2004-05?
- r) Were there any costs to the AFP arising out of the delayed deployment?
  - a. If so, what were those costs?
- s) Are the original budget figures for the deployment still accurate?
- t) Aside from the deployment, please list the Outputs which went under funding, and the reasons for going under funding.
- u) Was any other funding delayed for any reason?
  - a. If so, what was the funding for and has it now been expended?
  - b. If not, why not?

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

- a) IDG comes under output 1.3 of the AFP. Budget funding for the 2003-04 financial year for PNG was A\$65.504m (operating) and \$29.8m (capital) and for 2004-05 financial year is A\$152.356m (operating) and \$1.080m (capital).
- b) See answer to a).
- c) In the financial year 2003-04 A\$4.760m was expended and to date in the current financial year A\$19.999m has been expended.
- d) See answer to c).
- e) See answer to c).

- f) The entire deployment was delayed due to the need to have the appropriate treaty, administrative base and legislation in place.
- g) Yes. Although the deployment to Bougainville has occurred, the planned expansion of the deployment to Buin, in southern Bougainville, has not yet taken place.
- h) The delayed deployment is the result of ongoing discussions with factions in southern Bougainville.
- i) AFP deployments to PNG commenced on 29 August 2004 with the first members deploying to Port Moresby for 'in country' training prior to their commencing duties on Bougainville.
- j) As at 24 February 2004 there were 136 AFP members deployed to the mission in PNG. It is anticipated that the mission will be at full strength by mid 2005.
- k) No.
- l) See answer to j).
- m) See answer to j).
- n) The full deployment to PNG will be up to 210 members in country and a total of up to 230 members including members based in Australia.
- o) There are currently 115 sworn members (this includes 41 State and Territory police) in mission and 21 unsworn members.
- p) The AAP currently provides assistance with patrols in Arawa and Buka on Bougainville, as well as accompanying RPNGC members on their general duties patrols at Gordons, Badili and Waigani Stations in Port Moresby.  
  
The AAP also provides specialist assistance to the RPNGC in Port Moresby in the areas of Criminal Investigation Division, Prosecutions, the National Fraud and Anti-Corruption Unit, Internal Investigations, the National Criminal Intelligence Unit, Communications, Forensic Services, the Transnational Crime Centre, Criminal Records, Human Resources, legal, Finance, Media and Marketing, and Policy.
- q) Of the funding not expended in 2003-04, \$75.3m of operating and capital funding was carried over to financial year 2004-05 and \$14.4m was returned to Government.
- r) No. Any costs to the AFP arising out of delays are met from the existing PNG budget.
- s) As the AFP contingent in PNG will not be up to full compliment until the end of the financial year, the current budget is likely to be under spent.
- t) The Regional Assistance Mission to Solomon Islands was also underspent by \$14.7m. This was primarily as a result of slight modifications to the timing of mission staffing and associated administrative expenses.
- u) No.

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**Question No. 254**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

- (1) Why were only two consultancies offered for a public tender?
- (2) Of the consultants engaged through a selected tender, how were they selected to be offered the tender?

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

- (1) During 2003-04, the AFP's threshold for the conduct of open tender processes was \$100,000 in line with that of other Commonwealth agencies. Of 21 consultancies identified in the AFP Annual Report 2003-04, 19 were not required to be subject to an open tender process because the contract value was below the \$100,000 threshold.
- (2) Consultants (engaged through a select tender process) were selected through various means of market research. This included being:
  - identified as having undertaken similar work for the AFP or other Commonwealth agencies; or
  - known to have the recognised or pre-eminent expertise in the market; or
  - known to have the requisite skills where the value of the project did not justify the expense or delay associated with seeking an open tender.

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**Question No. 255**

**Senator Ludwig asked the following question at the hearing on 15 February 2005:**

- a) How many investigations resulted as an outcome of a call to the National Security Hotline?
- b) Of those investigations, how many resulted in charges being laid?

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

- a) Referrals from the National Security Hotline resulted in 37 AFP specific investigations.
- b) As a result of these investigations there has been one charge laid.