

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
AUSTRALIAN CRIME COMMISSION

**Question No. 78**

**Senator Ludwig asked the asked the following question at the hearing on 25 May 2006:**

Please provide an update to the reply to Question No. 94 from September 2005.

“a) Could you indicate how many persons associated with organised crime have refused to cooperate with examinations in the years 2000, 2001, 2002, 2003, 2004 and 2005?

b) Could you indicate how many persons in total have refused to cooperate with examinations in the years 2000, 2001, 2002, 2003, 2004 and 2005?

c) Of those who have refused to cooperate with examinations, are you able to indicate how many have faced prosecution?

(i) How many of these prosecutions have been finalised?

(ii) Of those that have been finalised, how many have resulted in a conviction, and how many resulted in an acquittal?”

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

(a) and (b) Since 1 January 2003, 73 people have been charged with offences under the *Australian Crime Commission Act 2002* and 6 persons have been charged with offences under *Australian Crime Commission (State Provisions) Act 2003 (Vic)*.

10 persons have been convicted of offences under the *Australian Crime Commission Act 2002* and 2 persons have been convicted of offences under the *Australian Crime Commission (State Provisions) Act 2003 (Vic)*. Court processes are pending in respect of the remaining 35 persons.

(c) No persons have been acquitted of any charges; however 32 charges have been withdrawn. 27 of those withdrawals related to the crew of the *Pong Su*, who were deported following the conclusion of the Examination programme.