

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 54

Senator Brandis asked the following question at the hearing on 26 May 2011:

Senator BRANDIS: I would like to move to another topic. I have a few questions about asylum seekers and people-smuggling. Is DIAC required to report access to pornography by detainees to the AFP for investigation, has it ever done so and in relation to what detention centres have such reports been made?

Mr Negus: I have just been reminded that viewing pornography is not an offence. It depends on the type of pornography.

Senator BRANDIS: Indeed it does and I am not saying it necessarily is.

Mr Negus: You would have to ask DIAC whether, under their internal guidelines, they are required to report any of that to us. But, in saying that, unless a crime was committed or an alleged crime was committed—

Senator BRANDIS: It would not involve the AFP.

Mr Negus: It would not involve the AFP.

Senator BRANDIS: Have there been any reports by DIAC to you of pornography at detention centres that might constitute a criminal offence?

Mr Negus: Not to my knowledge.

Senator BRANDIS: You have not been asked to investigate any, in other words?

Mr Negus: No. Again, I will correct the record if that is incorrect.

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

The AFP has not received any referrals from DIAC with regards to pornography at detention centres.