

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
AUSTRALIAN FEDERAL POLICE

**Question No. 235**

**Senator Stott-Despoja asked the following question at the hearing on 31 October 2005:**

What, if any, arrangements for international law enforcement co-operation are being put in place to ensure that Australians are not put at risk of being exposed to the death penalty in other countries?

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

The AFP is committed to cooperating with foreign law enforcement agencies to combat transnational crime and will continue to work collaboratively with all law enforcement agencies. All persons are subject to the sovereignty and to the criminal justice system of the country they are in. In the preliminary discovery motion pursued by members of the Bali 9 the sought to affirm its legal authority to proactively work with international law enforcement partners to reduce the harm caused to Australian communities by drug trafficking. The decision handed down by Justice Finn on 23 January 2006 in relation to the preliminary discovery motion ruled that the AFP acted appropriately at all times and within policy guidelines. The judge concluded that at no time did AFP officers act in contravention of the AFP Act in communicating with the INP. The judge clearly outlined that AFP members were acting in accordance with their functions under the Act and within ministerial directions