

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 112

Senator Ludwig asked the following question at the hearing on 31 October 2006:

Regarding sexual servitude crimes:

- (a) How many persons have been arrested for sexual servitude crimes? Of those arrested (i) how many have been released; and (ii) how many have been charged and brought to trial.
- (b) For those persons who have proceeded to trial (i) in how many cases was the person convicted; (ii) in how many cases was the person acquitted; and (iii) in how many cases was a mistrial recorded. Provide details as to the reason for the mistrial.

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

- a) 22 persons have been arrested and charged.
- (i) 1 person had charges withdrawn before trial
- (ii) 21 persons were arrested and brought to trial, of these:
- 1 person was acquitted of 1 charge and 10 charges were dismissed;
- 1 person was acquitted of 4 charges and 2 charges were dismissed;
- 4 persons were convicted;
- 4 persons had their charges dismissed;
- 2 persons had their charges withdrawn; and
- 9 persons are before court.
- b)
- (i) 4.
- (ii) 2.
- (iii) The trial in 2005 of four accused was the first Australian slavery prosecution. Justice Keleman discharged the jury in this matter on 23 September 2005 on the basis that disruptions to the trial process had rendered the trial unfair to the accused.

The primary issue which led to the jury being discharged was the ongoing disclosure of material held by Commonwealth agencies, which was seen to reflect on the credibility of the witness in the case. The issues fell into three broad categories, including the previous investigations and holdings in relation to a Crown witness who was a convicted offender, information in relation to

the complainant witnesses, and information regarding the Commonwealth “Victims of Trafficking” welfare package. The AFP has addressed the issues arising from the first trial.

The matter was re-listed in 2006. The Director of Public Prosecutions and senior counsel determined, after pre-trial conference with the remaining victim-witness, that the matter should not proceed because the sole remaining victim-witness would not or could not account for material discrepancies of account.