

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 72

Senator Brandis asked the following question at the hearing on 16 October 2012:

Referring to the case of Captain Emad, also known as Ali Al Abbasi and Abu Kalid, who fled Australia on 5 June 2012, a day after the ABC's Four Corners program linked him to a people smuggling operation and revealed he was working as a supermarket trolley supervisor at a Canberra shopping centre.

Captain Emad, who is an Iraqi national, arrived in Australia on a boat from Indonesia as a refugee in 2010 and was on a protection visa.

1. How long had the AFP been investigating Captain Emad?
2. What is the usual practice when the AFP are investigating someone who is on any kind of visa? Is DIAC usually informed?
3. Why was DIAC not informed that Captain Emad was a people smuggler? Assuming they had known he was a people smuggler they would have cancelled his visa and put him back in immigration detention? Is this a reasonable assumption?
4. Does the AFP know of his whereabouts currently? Are there any efforts being made with overseas law enforcement counterparts to have him extradited back to Australia to face people smuggling charges?

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

1. The AFP commenced an investigation into Captain Emad and his alleged involvement in people smuggling activities in January 2010.
2. Intelligence and information is shared with other agencies on a case by case basis.
3. DIAC has a member attached to the AFP People Smuggling Strike Team that investigates such matters.

It is not appropriate for the AFP to speculate on matters relating to the cancellation of visas or return to detention or otherwise as this is a matter for the Department of Immigration and Citizenship (DIAC).

4. It would not be appropriate for the AFP to comment on its intelligence or operational activities.

With respect to extradition, as a matter of long-standing practice, the Australian Government does not disclose whether it has made, or intends to make, an extradition request to a foreign country for a person until that person is arrested or brought before the court in a foreign country pursuant to that request.