

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN CUSTOMS SERVICE

Question No. 95

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

To your knowledge how many suspected illegal entry vessels have sunk en route to Australia?
Please give details of dates, vessels and passenger numbers if known.

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

The Australian Customs Service is aware of two suspected illegal entry vessels that have sunk en-route to Australia.

The vessel known as the SIEV- X departed Indonesia on or about 19 October 2001 with a reported 397 passengers and crew onboard.

The vessel codenamed AUGUSTUS foundered on 19 or 20 July 1999 with a reported 20 passengers and crew on board.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN FEDERAL POLICE

Question No. 109

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

- 1)
 - (a) Did the AFP receive and/or pass on to other Australian authorities intelligence reports concerning the departure of the boat which was later codenamed Gelantipy by DIMA prior to its sighting in the waters off Christmas Island on 27 March 2001?
 - (b) If so, can details of those reports be made available?

- 2)
 - (a) Who organised the vessel known as SIEV6?
 - (b) Had any of the earlier vessels associated with the organiser of SIEV6 required rescue?
 - (c) Was the organiser of SIEV6 involved in organising either the Palapa or Olong voyages?

- 3) On what date did the AFP first become aware of the people smuggler known as Abu Quassey?

- 4)
 - (a) Has the AFP, either through its own agency or through Indonesian police or other contacts, obtained a copy of the North Jakarta Harbourmaster's report of 24 October 2001 on the rescue of the survivors of SIEV-X which was broadcast on the SBS current affairs television program, 'Dateline' on 22 May 2002 and 17 July 2002?
 - (b) If not, why not?

- 5)
 - (a) Has the AFP, either through its own agency or through Indonesian police or other contacts, taken steps to validate the coordinates of the SIEV-X rescue contained in the North Jakarta Harbourmaster's report of 24 October 2001 (i.e. that the SIEV-X survivors were rescued by the 'Indah Jaya Makmur' on 20 October 2001 at position 07 40 00S / 105 09 00E) which was broadcast on the SBS current affairs television program 'Dateline' on 22 May 2002 and 17 July 2002?
 - (b) If not, why not?
 - (c) If yes, what conclusion did AFP reach regarding the validity of the rescue coordinates included in the report?
 - (d) What was the analysis that led to this conclusion?

- 6) Further to Senate Parliamentary Question No. 1408 reported in Hansard on 28 February 2006. Answer 3(a) "All efforts to identify the fishermen [who rescued the SIEVX survivors] have failed".
 - (a) Did the AFP, itself or through others, use the information provided on the SBS current affairs program 'Dateline', broadcast on 17 July 2002, which included video footage showing Captain Imam and his vessel 'Indah Jaya Makmur' which rescued the SIEVX survivors to identify and locate Captain Imam and the other fishermen involved in the rescue?
 - (b) If not, why not?
 - (c) If yes, why was this insufficient to locate the fishermen?

- 7)
- (a) Between 1 January 1999 and 25 August 2001 - that is prior to the rescue of KM Palapa by the Tampa in August 2001 - to your knowledge how many suspected illegal entry vessels had required rescue by Australian agencies?
 - (b) How many had been the subject of a broadcast to shipping? Please give details for each vessel.

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

- 1)
- (a) The AFP is unaware of any intelligence reports, received from, or passed to, other Australian authorities.
 - (b) Refer to answer 1 a).
- 2)
- (a) There is insufficient evidence available at this time to prosecute any person for organising the venture involving the vessel known as SIEV 6. However, the crew of SIEV 6 were prosecuted for their part in transporting the illegal immigrants to Australia. It would be inappropriate to release any further information as this may hamper further inquiries by law enforcement agencies.
 - (b) Refer to answer 2 a).
 - (c) Refer to answer 2 a).
- 3)
- The provision of information relating to the date on which Mr Abu Quassey first came to the notice of the AFP may disclose the source of the information and hamper future criminal investigations. As a result specific information cannot be provided.
- 4)
- (a) A North Jakarta Harbourmaster was spoken to by Australian officials in the days following the loss of the SIEV X. Those Australian officials viewed pages of the Harbourmaster's report dated 22 October 2001. AFP officers subsequently obtained a copy of this document. Australian Officials also viewed an Indonesian National Police (INP) report dated 24 October 2001 that is believed to be the document referred to in the SBS 'Dateline' program aired on 22 May 2002. AFP officers requested a copy of the original document be provided by the INP of the report dated 24 October 2001. INP has advised that they are unable to locate the document.
 - (b) Consideration was given to obtaining the best evidence and as a result INP was requested by AFP Jakarta Post, to locate and obtain the original INP document. INP reported that they had exhausted their enquiries and had been unable to locate the requested document. The document in its original form was not deemed essential in the pursuance of prosecutions against the venture organisers.

5)

- (a) The AFP has taken steps in an attempt to validate the coordinates at position 07 40 00S / 105 09 00E as the position where the SIEV X survivors were located.
- (b) Refer to answer 5 a).
- (c) The position was stated on the INP report and is assumed to have been obtained from the Captain and crew of the rescue vessel. The evidence suggests that the coordinates are a rough estimate at best.
- (d) Calculations made by Australian officials were based on the estimated speed, distance, time of departure, delays and intended destination of SIEV X. Estimated speed, time of rescue, reported point of rescue, distance travelled and arrival time of the rescue vessel with survivors at Maura Baru.

6)

- (a) A photograph of Captain Imam was created by the AFP from the SBS 'Dateline' program footage and was utilised by the INP in its attempts to locate him.
- (b) Refer to answer 6 c).
- (c) The INP replied at the conclusion of their enquiries that they had been unable to locate the Captain or crew of the vessel 'Indah Jaya Makmur'.

7)

- (a) The role of the AFP is to investigate offences relating to organised people smuggling. Information relating to the number of SIEV's requiring rescue, or that had been the subject of a broadcast to shipping, is not held by the AFP.
- (b) Refer to answer 7 a).

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Question No. 96

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

- (a) During the period February - April 2001 was Coastwatch surveilling the waters between Indonesia and Christmas Island on a daily basis searching for Suspected Illegal Entry Vessels (SIEVs)?
- (b) If not, how regularly was Coastwatch patrolling the route to Christmas Island during this time?
- (c) Or were surveillance patrols only initiated when intelligence reports indicated a SIEV had departed?
- (d) Did Coastwatch receive any intelligence reports concerning the departure of the boat which was codenamed Gelantipy by DIMA prior to its sighting in the waters off Christmas Island on 27 March 2001? If so, can details of those reports be made available?

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

- (a) Coastwatch undertakes regular wide area surveillance on the basis of threat and risk assessments. Surveillance becomes more focussed when credible reports of a specific threat, such as a SIEV, are received. Provision of flight paths and patrol frequency could compromise future operational effectiveness and as such it would be inappropriate to provide such details.
- (b) Refer to answer (a).
- (c) Refer to answer (a).
- (d) In accordance with normal security conventions, Coastwatch will neither confirm nor deny the existence of intelligence reports.