

The SIEV-X cover-up

Marg Hutton

What does it say about the health of our political system that a Senate committee convened to investigate a cover-up (that is, 'Kids Overboard') could be subjected to another cover-up when it began to ask questions about SIEV-X?

Evidence continues to mount of concealment by multiple Australian agencies of knowledge of the sinking position of SIEV-X – knowledge that I have previously argued was deliberately withheld from the Certain Maritime Incident (CMI) Committee.¹

In May this year, Senator Collins asked Australian Federal Police (AFP) Commissioner Keelty the following question:

Do you know when the AFP has been involved in interviews of the Indonesian fishermen that rescued the SIEV X survivors? What detail was taken as to the location at which survivors were rescued as a consequence of those interviews?

AFP's answer to this question recently received by the Senate is a lesson in obfuscation:

The AFP / DIMIA People Smuggling Strike Team (PSST) has, and continues to, undertake an investigation concerning people smuggling offences committed by person who arranged the ill-fated SIEV-X venture. As part of this investigation the PSST has located and interviewed 48 persons who were either concerned with or were survivors of the SIEV-X disaster. These witnesses have been located in Australia and seven foreign countries and have provided signed statements to the PSST investigators. *Some information relevant to the fishing vessels or crew that rescued survivors has been provided. The AFP is currently pursuing this information and a number of avenues of inquiry. As these investigations are ongoing it would be inappropriate to make further comments.*²
[My emphasis]

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Is this a yes or no?

To read this answer, one could mistakenly think that the AFP had never interviewed the fishermen, but this is not the case.

Last December, Federal Agent Ben McDevitt (currently the Deputy Police Commissioner in the Solomon Islands) reportedly let slip to Kirsten Lawson of the *Canberra Times* that the AFP had conducted interviews with SIEV-X survivors 'and the Indonesian fishermen who picked them up.'³

Importantly, this was the first public statement that the Federal police had spoken with these men. It was not mentioned in any AFP testimony to the Senate or in subsequent answers to questions on notice.

It is interesting to compare the AFP's latest answer to another provided to the Senate earlier this year. In February, Senator Collins asked Commissioner Keelty 'When were the interviews with [survivor] witnesses in the Abu Quassey investigation conducted?' Keelty replied in part, 'Those witness statements were obtained from survivors in Australia in July 2002.'⁴

How is that Keelty could answer in March with information about the date that other SIEV-X-related interviews were conducted, yet when asked a similar question two months later falls back on the overworked AFP excuse that 'investigations are ongoing' and so 'it would be inappropriate' to comment?

Why is the AFP being so obscure here? Might it be because the fishermen were interviewed back in October 2001 soon after the sinking and

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to admit to this date would implicate our federal police in the sustained cover-up by Australian agencies of their knowledge of where SIEV-X sank?

It is inconceivable that when the AFP interviewed the fishermen they would not have asked them about the position where they picked up the SIEV-X survivors. The fishermen provided the precise coordinates of the rescue position to the Jakarta harbour-master at Sunda Kelapa port on the afternoon of 24th October – the day after they had brought the survivors back to Jakarta.⁵ If the fishermen were asked to provide this same information by the

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AFP or their Indonesian police cohorts in October 2001, there is no reason to think that they would have concealed it.

It is important to note that the rescue position does not directly provide the sinking position. Survivors spent about nineteen hours in the water and drifted away from the position where the boat had sunk. However, it is possible to accurately estimate how far they drifted and so limit the probable sinking area. Oceanographic Professor Matthias Tomczak of Flinders University, when given the rescue coordinates, was able to assess the likely direction and distance that the survivors drifted during the hours they were in the water.⁶ Recently, Tony Kevin has charted Tomczak's assessment, narrowing down the likely sinking position of SIEV-X to an area of around 140 square nautical miles inside the Australian Border Protection Surveillance zone.⁷

What Tomczak and Kevin did with the rescue coordinates would also have been done by Australian agencies.

So perhaps it is important for the AFP to dodge questions about if and when they interviewed the fishermen in order to avoid admitting that the government and its agencies have known since October 2001 that SIEV-X sank in Australia's border protection zone and this knowledge has been deliberately concealed from the Senate and the Australian public.

This latest answer from the AFP joins a growing list of other evasions all apparently intended to cover up our government's knowledge of the sinking position of SIEV-X:

- 'State of play' brief prepared by Prime Minister's Department on 24th October 2001 with a heading 'Boat sank in Indonesian waters' at odds with government assessment the day before of the likely sinking position.⁸
- Concealment of key DFAT cable which provides strong indication that boat sank in Operation Relex zone. Cable was not provided to the Senate until four months after the CMI inquiry completed its work.⁹
- Denigration and misrepresentation by Gates Review of Jakarta Harbour Master's report which contained the coordinates of the position where Indonesian fishermen rescued the survivors.¹⁰
- Suspect RAAF surveillance maps of the day of the rescue which fail to show any boat in the vicinity of the rescue coordinates.¹¹

And now what seems to be deliberate concealment of AFP interviews with the fishermen soon after the sinking.

More and more, it appears that the CMI committee was duped by the very agencies it was investigating in the Overboard Affair when it turned its attention to SIEV-X. When is the Senate going to respond to this contemptuous treatment?

(For references, see inside back cover.)

Marg Hutton has been researching the SIEV-X Affair since May 2002 and runs the website www.sievx.com