

# **Crime Interrupted**

## **An AFP and Casefile Presents podcast.**

### **Episode 3, Operation Crystalfields**

#### **Host – introduction**

The Australian Federal Police is Australia's national policing agency. Its aim? To protect Australians and Australia's way of life. The AFP works with Australian and international partners to combat cybercrime, online child sexual exploitation, transnational serious organised crime, fraud and corruption, and terrorism, espionage and foreign interference.

The AFP is the lead investigative agency for all forms of human trafficking and modern slavery in Australia.

In 2023-24 the AFP received 382 reports of human trafficking related offences – 91 of these reports were forced marriage allegations.

Forced marriage, which has been illegal in Australia since 2013, is often a complex and underreported crime.

These are the real stories of the AFP. Everyday people doing legendary work.

#### **Host**

Operation Crystalfields is the most tragic operation we have covered in our Crime Interrupted podcast series. It affected everyone who worked on it, but all of the people we interviewed wanted to talk about it, so the death of a young woman called Ruqia isn't in vain.

Please be advised that this episode contains details listeners may find distressing, listener discretion is advised.

Forced marriage laws came into effect in Australia in 2013, making it illegal to cause someone to enter into a forced marriage or to be a party to one. The legislation was further strengthened two years later to expand the definition of forced marriage and increase penalties. It was a significant step in combating human trafficking and protecting vulnerable people.

AFP Detective Superintendent Jayne Crossling has spent years working in the Human Trafficking area.

#### **Jayne Crossling (2.12)**

I was a superintendent based in Melbourne and had overarching responsibility for the Human Trafficking investigation team based in our Melbourne office, and we first became aware of a report via an educator in Victoria in August 2019 that there was a female student at a school who was indicating that she was going to be married against her will.

#### **Host**

The student attended a school in a country town in Victoria. The Australian Federal Police were contacted after the student disclosed her predicament to a teacher and a social worker at her school.

**Jayne Crossling (2.55)**

When we receive any of these sorts of reports, whether it's a forced marriage or any of the other forms of human trafficking, we will very much in the first instance want to know who is the victim and what is his or her disposition? So are they currently in a safe setting? Our very first goal is to locate the victim, the subject of the report, and then determine are they safe? So this was certainly our first concern: where is this girl that the educators were speaking of?

**Host**

In the area of Human Trafficking, ensuring the safety of victims is paramount to the AFP.

**Jayne Crossling (3.39)**

As soon as there is a victim that we're becoming aware of that we simply need to go out and respond. So it is most definitely a victim-centric crime and that the very first thing we would aim to do is attempt to either make contact with that victim or actually go and see the victim in person if that's at all possible.

**Host**

The two AFP members tasked to speak to the schoolgirl were Sue Aitken and Chiara Lascaris. Both women will never forget the time they spent with the young woman. Sue explains.

**Sue Aitken (4.14)**

It was August 2019. I was requested along with a fellow colleague of mine to go to a country town and meet a student at a school, as she was possibly a victim of forced marriage. That's one of the offences under Human Trafficking that we deal with. So my partner and I went out and met this girl. Her name is Ruqia, and we asked her if she wanted to tell us what was going on with her, and she was saying how her mother had arranged a marriage for her, which she did not want. We spoke to her for quite a while, and some of the things that she said to us indicated that the marriage could happen soon, as the man was in town. She was quite adamant she didn't want to marry him. And we explained to her that forced marriage is not legal here and she doesn't have to do it. But I think family pressure for some people is a bit too much because she still loved her family and didn't want to do anything against them or shame the family, but she certainly didn't want to marry this guy

**Host**

Ruqia was in the middle of completing Year 12. She had lived in Australia with her family since 2013. What was Chiara's first impression when she met her?

**Chiara Lascaris (5.34)**

I just recall thinking, gosh, she's beautiful. And I've got daughters who are getting to a similar age. And, yeah, she just looked like a typical teenager at school. She had plans for her future, and yeah, she just looked like a typical teenager.

**Host**

For AFP investigators, cases like Ruqia's are delicate. Although she was still at school, she was around 20 years old, so she was an adult. The most important thing for Sue and Chiara was to act according to her wishes. After listening to her story, they let her know all the ways help was available to her.

**Chiara Lascaris (6.14)**

She was definitely above 18 when we spoke to her, yeah, at the time. There's different reporting obligations if she was a child. But no, she's over 18. So that's why we offered her the choice. We were willing to go and speak to the mother and explain to her about the Australian laws in relation to forced marriage. But she declined that and thought it would actually make her situation worse. So we had to take into consideration what her requests were.

**Host**

Ruqia explained to Sue and Chiara how she had come to be promised in marriage to a man she only knew as Mohammad. Sue and Chiara were concerned that Mohammad was in town. This increased the risk that a Nikah ceremony might take place. This kind of ceremony would officially declare their intention to marry. Components of a Nikah ceremony include the paying of a dowry, referred to in Afghan culture as a 'mahriyeh,' which Ruqia said had already happened. So had the first Nikah ceremony, but Sue and Chiara didn't know that.

**Sue Aitken (7.24)**

She told us that he was in town, so that made us more concerned for her safety. But even though she didn't want to come with us, after we had spoken with her, we went to the motel she said he was staying at.

**Host**

Chiara couldn't imagine how Ruqia must have been feeling.

**Chiara Lascaris (7.38)**

Imagine, just again, I think of my daughters and being put in that situation, a stranger, having to marry because your mother's received money from them and you've got no choice in the matter.

**Host**

Sue could see the complexities of the position Ruqia was in.

**Sue Aitken (7.56)**

It's hard because you really want to help her, because that's what we're there for. And so our role is to first listen to what she wants to tell us. And then, little by little, a bit more comes out. And then we think, oh, she doesn't know him. He's from interstate, but he's here now. Her mum knows he's here. There was a ceremony recently. Is she going to be forced to marry this weekend? Girls aren't always privy to know what's happening around them, but about them. So we suggested, 'Look, we don't think this is quite right and because if he's here it could be more urgent than what you think.' She was of the belief that she would have at least eight months or so to finish school and all that sort of stuff. She didn't want to come with us. They still love their family and they don't want to shame their family. And she was sort of thinking, *oh but they're telling me everything's going to be okay*. I'm happy to not go with you. I want to stay here. I want to stay at school. And so we always respect their wishes. She's not a very

young child, so we can't have any control over what her decision is. We can only put some safety mechanisms in place and give her a way out if she gets stuck. So, that was making sure VicPol in the town was aware, and they were wonderful for her. Red Cross have a program to support people and they could have offered her accommodation, or a phone, anything like that. But she didn't want that at the time.

**Host**

During the time they spent with her, the two investigators heard how Ruqia had made her opposition to the marriage very clear to her mother.

**Chiara Lascaris (9.36)**

And I'm not sure what was going on in Ruqia's head, whether she thought she could convince her mum during that time that she didn't want to go ahead with it.

**Host**

But there was the complication that the mahriyeh of over ten thousand dollars had already been paid.

**Sue Aitken (9.51)**

She said to us that she had told Mum she doesn't want to marry. She doesn't want any of this. She doesn't even really know this person. But Mum had been paid a dowry to have her marry this man. So, I guess once you've got the money, you've got to go through with the deal.

**Host**

The two AFP investigators were worried about Ruqia when it was time to return to the office. Chiara remembers having a bad feeling about the situation.

**Chiara Lascaris (10.21)**

It was a late finish that day because we had to drive, but I actually made the effort to go back and type out everything that she said that day, while it was still fresh in my mind and make sure there was an alert on for her. Yeah, I just had this feeling that it wasn't going to go well for her, unfortunately.

**Host**

Not being able to help her on the day, didn't mean the AFP couldn't do other things. One of the first things they did was verify Mohammad's details which they'd got from the motel.

**Chiara Lascaris (10.51)**

You can understand she's in such a difficult position. She didn't want to leave. So we actually on the day did a few inquiries. We checked to see what his status was for, like, immigration. The other concern we had for Ruqia is that he might want to take her overseas. So that was another thing that we checked. We also went past the mosque just to see if it was open, but it wasn't at that time.

**Sue Aitken (11.06)**

And then got back and kept doing inquiries, verifying whether Mum got a dowry or not, if there were any passports recently issued, that sort of thing – just to make sure that she's okay, and just to keep in touch with the agencies where I would speak to the counsellor quite regularly to

say, 'Is she at school? Did you see her today? Has she come to you?' And so we did that for quite a while.

**Host**

There were so many areas of concern for Ruqia.

**Chiara Lascaris (11.48)**

I suppose it is in hindsight, but I did have a bad feeling about Ruqia. I mean, there's so many warning signs with the cash being exchanged and the travel from Perth. He'd gone to a lot of effort, and I just knew that she was in such a dangerous situation at the time.

**Host**

Ruqia's struggle is so common for girls being forced to marry.

**Sue Aitken (12.10)**

I don't think she had options. I think she was going to follow along the family path. I believe her mother was forced to marry. And maybe that's what made her mother think she should do the same. But she must have struggled at school to see what other kids can and can't do. And she didn't have a choice in that.

**Host**

Jayne explains some of the complexities of forced marriage.

**Jayne Crossling (12.36)**

Forced marriage can be a very challenging situation that the victim is actually placed in, where they're perhaps having to balance a desire not to let their family down, where perhaps it is the family that is urging the marriage, or indeed threatening that the marriage needs to take place. So I can absolutely understand in these circumstances why victims may not feel comfortable in coming forward and telling anyone, let alone law enforcement. They may not actually know that in Australia, forced marriage is in fact a criminal offence. So that is a challenge as well. If perhaps some of our victims knew that, they may feel more comfortable in coming forward and telling someone. But I think in many instances, they don't know how to get out of the situation that they're in and they're not sure what their avenues are.

**Host**

Sue knew that support was still available for Ruqia.

**Sue Aitken (13.33)**

VicPol was still involved. Red Cross was still involved. She had a case worker for Red Cross, and they were trying to make sure she was okay too. And then there was talk that she was married and over in WA.

**Host**

News of the marriage came at the end of 2019, less than three months since the AFP investigators had spoken to Ruqia. It was also upsetting to hear that she had been taken all the way across the country to Western Australia, effectively separating her from all her family and friends. Losing her family, or damaging her relationship with them, had been Ruqia's greatest

fear, and ironically, the reason she hadn't wanted the AFP to step in and take action. And then Sue received the worst possible news.

**Sue Aitken (14.26)**

And then it was in January 2020 that um, I found out she'd been murdered. The counsellor rang me one night and I happened to have the phone next to me and I answered it. And she'd said, 'I think she's been murdered by her husband.' I think I just sat there in stunned silence for quite a while and then I rang my supervisor and my partner and told them what had happened.

**Chiara Lascaris (14.57)**

I recall being told that she'd been murdered and how horrible the news was. Especially like if you've spoken to someone, and only for a short time, but she really was a beautiful girl, and had all her hopes and dreams, and just to hear that she'd been murdered in such a horrific way, and all the way, away from her family and friends, taken away to Perth. It was just really devastating. And that's one of the reasons I kind of stepped away from the next part of the investigation because it was just a bit too raw

**Host**

The school counsellor's call about Ruqia's murder had come in over the weekend. The first thing Sue did when she got to work was to verify the news with the Western Australian Homicide Squad.

**Sue Aitken (15.44)**

And it would have been a flurry of emails and phone calls, the time delay with our different times in different states, and it was verified that this had happened. So and I think I even read in the media that he'd walked into the police station covered in blood and said, 'I killed my wife.'

**Host**

Jayne could see the impact of Ruqia's murder on her team.

**Jayne Crossling (16.06)**

I think when we learned of Ruqia's murder, I think we were all quite stunned. We are very grateful that the educator from Victoria reached out to us because up until that point we hadn't actually heard, and we're relieved that we were able to find out via that educator. But the impact on the team was quite apparent immediately – particularly those who had had engagement with her. But everybody who had been working in Human Trafficking at that time definitely felt great concern that this is the worst situation that you could possibly imagine arising, not only from a forced marriage, but then a violent marriage that led to a murder. I could see that the impact on the team members within the Human Trafficking team it was, it was really evident and we definitely reached out to our colleagues in Red Cross and spoke with them as well. And they were equally shocked and concerned by that news. And of course, we very, very quickly, as soon as we learned the news, reached out to West Australian Police Force who had carriage of the homicide investigation, and were able to immediately offer whatever support we possibly could, including providing as much detail and context about everything that we were aware of up until that moment when she was in fact murdered.

**Host**

Over in Perth, it was Western Australia Police Force Homicide detective Matthew Long who was investigating Ruqia's murder.

**Matt Long (17.42)**

At 11.33 am on that day on the 18th of January 2020, Mohammad was speaking to Ruqia's brother on the phone. Ruqia's brother was alleging that Mohammad was not treating Ruqia in the manner that he should. They did have an argument at that time, which resulted in Mohammad hanging up the phone. Ruqia's brother rang her back a short time later at about 11.43am. They had a short conversation. However, Mohammad interrupted the conversation and Ruqia can be heard to be saying, 'Don't touch me! Don't hit me!' And he was also heard telling her to shut up. And nobody was talking to her brother at that time because they were clearly commencing what ended up being a physical altercation. A short time later, at 11.53am, Mohammad called Ruqia's brother back. And in Ruqia's brother's memory, he says Mohammad told him, 'If you're a man, come and get the dead body of your sister.' Mohammad, in his recollection, says he told Ruqia's brother, 'I killed your sister, now what to do?' And then he hung up.

**Host**

The day before, Mohammad had made a video of what he considered to be Ruqia's failings as a wife.

**Matthew Long (19.02)**

Mohammad had made a video recording on his mobile telephone and the recording began outside the house. And what he does is he narrates the video as he walks through. He shows the living area is untidy. He moves into the kitchen area and he shows some other dirty dishes in the sink that had not been washed. He walked into the courtyard area of the house, outside the house. And he then returns back into the house and finds Ruqia asleep on the bed. And it's quite obvious during that narrated video that Ruqia was not fulfilling the domestic duties as expected by Mohammad.

**Host**

Another problem Mohammad had with his new wife was that she would not consummate the marriage. The fact that she refused to cook and clean and have a relationship with her new husband shows Ruqia was prepared to resist the path laid out for her by Mohammad and her mother. She had been sent to Perth with this man she hardly knew and dug her heels in.

**Matthew Long (20.03)**

There was definitely resistance from Ruqia. She had mentioned clearly before coming to Western Australia that she didn't want to be married to this man. She didn't want to relocate to Western Australia. And no doubt the evidence collected throughout the investigation came to show that she was reluctant to participate in any intimacy with Mohammad. She'd push back regularly on that. He thought that he was in control of the relationship and that she should sort of bow down to his demands. There were, there were a lot of demands made upon her, but she wasn't a shrinking violet in as far as she would just obliged by doing everything he asked. She did push back, and he came to tell investigators that she would stand up to him, she would give him the finger on occasions. and he found that quite disrespectful.



**Host**

After the murder and after the phone call to Ruqia's brother to tell him to come and get the body of his dead sister, Mohammad turned himself in at his local police station.

**Matthew Long (21.03)**

Mohammad walked into the Mirrabooka police station, located in the northern suburbs of Perth. He waited patiently for a police officer at the front desk, and then he said in broken English, 'Excuse me, I've killed my wife.' He signalled he had cut her throat. Mohammad had visible blood on his hands and clothing. The attending officers asked him to clarify what he was saying before taking him into custody. Mohammad's home address was identified in the neighbouring suburb of Balcatta, and emergency service vehicles including police and St John Ambulance were immediately deployed. Upon arrival, Ruqia was located on the kitchen floor with significant injuries that were not survivable. A large kitchen knife was discovered on the floor beside her. Homicide Squad detectives were recalled to duty to investigate Ruqia's death.

**Host**

In any investigation like this one, the police only get the story from the surviving person.

**Matthew Long (22.00)**

It's really hard to know exactly what happened behind those closed doors. There was only two people there at the time. No doubt, Mohammed lost his temper and did what he did before taking himself directly to the police station to hand himself in. Now, there was times later where he could be heard during his police interview where he was emotional and crying.

**Host**

Mohammad pleaded guilty to killing his wife.

**Matt Long (22.22)**

By pleading guilty, Mohammad receives a significant discount in his sentence; it could be around the 15 to 20 percent mark, depending on other factors. The presiding judge did take into account other mitigating factors and decided to settle on a sentence of life imprisonment with a 19-year minimum parole period.

**Host**

AFP Detective Inspector Trevor Russell had taken a position in the Human Trafficking Team just after Ruqia's murder.

**Trevor Russell (22.54)**

When I first started with the Human Trafficking team in Southern Command, Ruqia had been murdered about ten days prior. I'd just returned from a number of years offshore and my first day in the role, Jacob who was the case officer and had been performing roles as the acting team leader, briefed me on what had happened and what the team had been dealing with over the last couple of weeks, but also before that and all of the interactions with Ruqia. So I came in, I guess, in that period between where we had an active forced marriage investigation and then it turned into dealing with the aftermath of Ruqia's death and assisting Western Australian Police with their murder investigation.

**Host**



Amid the horror of what had happened to Ruqia, Trevor had full confidence in the AFP's Human Trafficking team to bring her husband before the courts.

**Trevor Russell (23.53)**

I was incredibly lucky that the team that we had working in Human Trafficking at the time, and to this day for that matter, are incredibly skilled investigators, and the case officer, Jacob Purcell, was one of the best detectives. Probably my focus in the first instance as the team leader was to try and look after our people. While we regularly deal with tragic events, difficult stories, this one in particular hit home. And trying to make sure that the team was okay. So we do have a number of services within the organisation, but just looking after each other and making sure we had the right people working on the job, and then making some decisions about the what next, because in the first instance it was just to check how the people were going, but then the decisions about well, are we going to be pursuing Commonwealth investigation, or is our actions now stopped because we no longer have Ruqia to provide a statement to us, and the decisions around what goes from there.

**Host**

Detective Senior Constable Jacob Purcell had taken over the case after Ruqia's murder.

**Jacob Purcell (25.07)**

I was doing my first stint as acting as a team leader for the Human Trafficking team. And so in January of 2020, I was responsible for the Human Trafficking team at Melbourne and then in that role, had an overview of the team's caseload and from then, really managed the fallout from being notified of Ruqia's murder over in WA.

**Host**

Jacob approached the investigation as an exercise in finding the truth.

**Jacob Purcell (25.39)**

There was a real sense of needing to find some justice for what had happened, and needing to get to the truth of the circumstances that had led to her death, because ultimately an investigation is a search for the objective truth and as investigators, we have I guess an innate sense of curiosity and in discovering that truth, I certainly felt compelled to find out exactly what had happened and why it had happened and the circumstances that led to her murder including the alleged – well now substantiated – forced marriage.

**Host**

Jacob set out to interview everyone who'd had contact with Ruqia in a quest to find out if indeed, she was a victim of forced marriage. It was new territory for the team because even though the legislation against forced marriage had existed since 2013, there had never been a conviction for it. Victims were usually reluctant to come forward and give evidence, not wanting to bring shame on their families.

**Jacob Purcell (26.45)**

At the time, we were reasonably fortunate that some of the inquiries had already been started by the Western Australia Police Homicide Squad because that investigation commenced immediately after her murder. And they identified a number of witnesses. I went back and re-interviewed, so some of her family members, school teachers, and we already had the teachers

who had initially reported to the AFP that Ruqia was at risk of forced marriage. And from the teachers, we identified some of Ruqia's close friends. From those friends, identified some other community members such as her driving instructors, who she'd spoken to about not wanting to get married. And it spanned out from there. The school was really critical in being a starting point for the investigation to be able to identify Ruqia's network.

**Host**

In going back and talking to the teachers that Sue and Chiara had spoken to months earlier, Jacob was able to piece together a clear picture of Ruqia's wishes.

**Jacob Purcell (27.54)**

The teachers were telling us that Ruqia had come to them and expressed real concern that she didn't want to get married and that her family were pressuring her into it. I was told that she was so bubbly and lively and a real warm spirit and character, and that that nature seemed to change over a period of time when this marriage was going on in the background. So the teachers clocked that there was a real change in her disposition, and so they look out for those indicators, I guess.

**Host**

In among the stories of her loss, in talking to Ruqia's friends, Jacob heard lots of anecdotes of how funny and lively she was.

**Jacob Purcell (28.41)**

Yes, I did get some of those anecdotes from friends and also saw it in a lot of videos that had been recorded on her phone, for example, or photos that friends had shown me where she was dancing around. Before this marriage, she really seemed to embrace and love life so that definitely came out from her friends and certainly from some of the other community members who were witnesses gave an account that was pretty consistent with that Ruqia being very bubbly and lively and energetic and having dreams and hopes for the future. So that side certainly came through, but balanced against that, in contrast to that, was the tragedy around the circumstances that she was forced into this marriage that she didn't want to go through with.

**Host**

In his investigation, Jacob found out that Ruqia had taken some extraordinary steps to try and convince her mother to not force her to marry.

**Jacob Purcell (29.41)**

She'd tried as much as she could, as Ruqia could, to explain to her own mother that she didn't want to and her mother dismissed that outright. She had had a number of conversations and some of them quite heated arguments where she had told her mother that she wasn't doing this and wasn't going through with it, and her mother had said, 'Well are you the mother or am I? I'm gonna make this decision, so essentially it's not your call on whether or not you get married. It's mine because I'm your mother. And you don't know what's best for you. I do. And you're going to go through with this.' So, yes, she definitely told her mother. And there was a fair bit of evidence to that effect. She told her driving instructor, she told her friends, she told her teachers, and she told police that she'd spoken to her mother and her mother wasn't listening.

**Host**

By the time he'd collected all the witness statements, Jacob felt like he knew Ruqia.

**Jacob Purcell (30.47)**

You get a window into this person's life, particularly through their mobile phone where we record so much these days of our lives, photos, videos, notes. So, I think that just added to my desire to drive for justice and for the truth to come out about this forced marriage that she was a victim of. So it personalises it and gives the case of human face and a human spirit. Even though I never met Ruqia before she died, I feel like I know quite a lot about her from all of the material that I've gathered, the people that I spoke to who knew her intimately. It gives more purpose, I think, to the investigation, to the prosecution.

**Host**

When Jacob examined the case around Ruqia and the case for a charge of forced marriage against her mother. He took his findings to Trevor.

**Trevor Russell (31.49)**

Jacob came to me and said that he'd reviewed the evidence; he'd reviewed the law, the legislation as he saw it, and thought that there were grounds for an investigation to be pursued to uncover the truth. And our hope was that if we were supported in that decision, that there could be a silver lining through setting a precedent so that others potentially would be deterred from criminal activity around forced marriage.

**Host**

While it was too late to save Ruqia, a conviction against her mother would send a clear message to anyone in the community contemplating that course of action to think twice.

**Trevor Russell (32.28)**

It was unprecedented doing this without a victim statement, so we needed to get buy-in from our own management. So Detective Superintendent Jane Crossling was a huge supporter of the investigative strategy. And then we went and met with the Commonwealth prosecutors, and they were very supportive that despite the fact that we didn't have a victim statement and we'd be relying on hearsay evidence, that they thought there was still a case that could be presented.

**Host**

Detective Superintendent Jayne Crossling was supportive of pursuing a potential forced marriage prosecution.

**Jayne Crossling (33.02)**

Trevor and Jacob are absolutely excellent investigators and it wasn't that long after Ruqia's passing that we did have conversations around the fact that we felt that we could do more than just have the husband charged with murder and have that prosecuted in Western Australian courts. So we sat around and we did work out what might our options be. And we were very passionate about the idea of pursuing what could be a very challenging investigation. We weren't blind to the fact that these investigations are very challenging anyway. We had previous experiences where we struggled to present to Commonwealth DPP, who are the prosecutors for these matters with sufficient evidence in previous matters that would satisfy

them to go forward with laying charges and running a prosecution. So that was definitely in our minds when we talked together as a team, but despite that, and despite our concerns that we would struggle to meet the necessary evidentiary thresholds that are really important in running these sorts of criminal matters, we decided to engage with Commonwealth DPP. And we got together and had a meeting with them where we basically said if we were to be able to meet the requirements around sufficiency of evidence, would it be in the public interest to actually seek a prosecution for those that were involved in the forced marriage of Ruqia? And we were very, very grateful in that engagement with Commonwealth DPP, they were able to confirm that yes, they did believe that they're, they have a public interest test for going forward with prosecution. So for all matters that the Commonwealth prosecutes, you have to meet that two-prong test. One is sufficiency of evidence, and the other is that it's in the public interest. So they did indeed say that it was in the public interest, and I think we were all really motivated by that. As soon as Commonwealth DPP had confirmed that, it was then a matter of turning our sights on how are we actually going to build a brief of evidence around what had taken place in the lead up to the marriage. We felt very encouraged. We had some other matters where they didn't get that far. Different types of offending at times, but I think the team is quite resilient. So with that in mind, that's how we actively pursued getting that evidence together.

**Host**

A potential prosecution for forced marriage wasn't without its difficulties.

**Trevor Russell (35.47)**

Our legislation is quite new, relatively speaking. It was only enacted in March 2013 in its current iteration. So a lot of the work that we do in the Human Trafficking team is groundbreaking, and it's really challenging because you don't have a left and right of arc to refer back to. It's also incredibly challenging once we put our briefs of evidence forward for consideration for the prosecutors as well because they don't have that case law that they can lean back on. So yeah, it took a few leaps of faith from different levels within and external to the AFP for this case to progress. And we also relied really heavily on the courage of a lot of the witnesses who were prepared to come forward and tell Ruqia's story on her behalf. That would have been incredibly difficult for them as well.

**Host**

The way Trevor saw it, the process of charging her mother gave Ruqia a chance to be heard.

**Trevor Russell (36.40)**

It was an opportunity for Ruqia's voice to be heard. The challenge we had in this instance was, in victim-based crime, the prosecutions rely heavily on the victim statement. Now whilst Ruqia had met with AFP members in the early days, and had told part of her story, none of that was in an evidentiary form. And one of the key things with Human Trafficking is so much of our work, the vast majority of our work, is around education, prevention, and disruption of offending. It's only a very, very small proportion of our work that ends up in a prosecution before the court. So, this is where we want to encourage people to come forward and talk to us.

**Host**

Coercion would play a big part in proving the charge of forced marriage.

**Jacob Purcell (37.31)**

To prove a forced marriage offence, it has to involve: threat, coercion, or deception are the three key pillars of establishing a force marriage offence. So, we relied on coercion, how Ruqia being coerced into the marriage by her mother, which is like an abuse of power of the relationship because Ruqia was the daughter, and was in a vulnerable position compared to her mother. There was an abuse of that relationship, of the power dynamics in that relationship.

**Host**

As the Human Trafficking team came closer to charging Ruqia's mother with forced marriage offences, Trevor wasn't immune to push-back. Through members of the community, Trevor often heard the sentiment that perhaps family members had already been punished enough.

**Trevor Russell (38.22)**

There was a phrase that I heard quite a few times that *hasn't the family been punished enough*. I think we all can buy into that. But this is not about punishment. It's not about retribution. This is about, first of all, searching for the truth. We never pursue our investigations trying to get to a certain point; we just want to find the truth. And if that means that the truth is there aren't charges to be laid, that's a good outcome for us. But also, what we really wanted was there to be a deterrent. If there was a prosecution and there was a conviction, we wanted this to be a deterrent to others who may be looking to engage in this behaviour with members of their family.

**Host**

At Ruqia's mother's trial, the prosecution had to prove the coercion.

**Jacob Purcell (39.11)**

There's about six different elements that coercion can include. And there was about three that we relied upon that we alleged that Ruqia's mother had demonstrated these elements of coercion, which essentially means that she had controlled and manipulated Ruqia, and pushed her into this marriage, and that Ruqia wasn't freely and fully consenting to the marriage. That even though she went through with it, it wasn't her own free will, her choice. She did it because she was coerced and manipulated into the marriage.

**Host**

The case went to court and Ruqia's mother was found guilty of causing a person to enter a forced marriage. Her sentencing was particularly tense.

**Jacob Purcell (39.58)**

It was very dramatic when Ruqia's mother was sentenced. There were about 15 or 20 community members from the Hazara community that, from the country town that had come down to support her mother. And although she had many supporters, this case did divide the community. There were some who sided with Ruqia's mother because of these more traditional norms. And then there were others that took the view that, no, she's done the wrong thing. So there was quite a split. But there was several 15 or 20 community members, their family members, in support of Ruqia's mother. And when the judge handed down her sentence, which was three years imprisonment, there was an outcry. There was shouting and yelling, and people getting out of their seats. Ruqia's mother was given what's called a recognisance order so she could be released from prison after twelve months to serve the remaining two years of her sentence in the community. But that's only effective if you agree to the terms of the

recognisance order, which are that you will come out and not commit further offences. It was the most dynamic scene that I've ever seen in a courtroom in eleven years. And it was highly charged with emotion. I don't think she had expected to go to jail. And I don't think the community members who were there with her had expected that to be the outcome.

### **Host**

Trevor arrived to court minutes late and missed these events.

### **Trevor Russell (41.40)**

I wanted to be there to be with Jacob, to shake his hand irrespective of the outcome because of the way he conducted himself and the way others involved in the case conducted themselves throughout, so I was disappointed to have missed it. But I don't think it impacted Jacob's day. He had mixed feelings about the result because he cared very deeply for the family. And we're aware that it's another difficult day for them.

### **Host**

In putting together this case, the phrase that kept coming up was: *there are no winners here*. Everyone involved lost something when Ruqia was forced into marriage. The only consolation was that this verdict could help people in this situation in the future.

### **Trevor Russell (42.27)**

How many young women are in this situation where they're in a miserable marriage that they don't want to be in and the only reason they're in it is because of pressure from their family, and they're disconnected from their community or from their friends or whoever it may be. And this is what we're trying to avoid. We're trying to give people options that they don't have to be going down this path. And I guess the key thing here is that if you come and speak to the AFP or you speak to some of the service providers, it doesn't mean that you're going to be standing in court giving evidence against your family. The prosecution pathway, the criminal justice pathway, is one of the options that is open. But no one is ever forced down that path. The main thing that we want to do is try and support people and to try and help them to escape a situation that they don't want to be in, and they shouldn't be in. And it's tragic that despite the best efforts of police, services, friends of Ruqia, that we weren't able to help her. But I think that's just made us more doggedly determined to be able to help others in future. And part of that is the legacy of the court case that shows that this is how doggedly determined the investigators will be. It took several years to get to the conclusion that we've reached.

### **Host**

In the end, it was all about justice and deterrence for Jacob.

### **Jacob Purcell (43.55)**

Tragically, the outcome is not going to help Ruqia. My big drive – because she's no longer with us – was to really use the messaging that comes out of this case, the precedent that's set, to prevent this happening to other young women in a similar situation to Ruqia in the future. So, from one aspect, I hope that this case will act as a deterrent to family members, community members, who think about forcing their daughters or their sons into marriage, and on the other hand, I hope that it really raises some awareness for young people that are at risk of being forced into marriage themselves, that there are options for support out there. There is a victim support program run by the Red Cross for human trafficking victims in Australia. Police do



want to help. Teachers want to help. Your community members really want to help, and that if you are forced into marriage, there are some really, really serious and really tragic outcomes that can and do happen. So, I guess for me, yes it was about getting justice and getting the truth for Ruqia, and ensuring that there was some outcome or some consequence of what had happened to her. But, just as important, was trying to prevent this from happening to other young women in the future.

**Host**

To this day, Detective Superintendent Jayne Crossling does not know who nominated the Human Trafficking team for a Commissioner's Commendation. Nonetheless, she was pleased the team received recognition for what they achieved.

**Jayne Crossling (45.47)**

Earlier this year, I had the pleasure of going to Melbourne where there was a Commissioner's Award ceremony and we received a group citation from the Commissioner in relation to Operation Crystalfields. And it was a surprise. We did not know who nominated us, but essentially all of those that were involved at any stage of the investigation were put forward as a group, including our West Australian colleagues as well, who we worked so well with, and it was a delightful surprise. I've been with the AFP for 35 years now and worked in a large range of crime types across the breadth of the work that the AFP does, and this particular crime type, in addition to Child Exploitation, has been probably the most rewarding – and challenging – but ultimately satisfying. So I think having that level of recognition, albeit very unexpected, I think it does confirm that the AFP values our effort in relation to this crime type. I think it's that human element and imagining that we can make a difference to individuals, I think is really, really important and that we can right some wrongs that have happened to some people or indeed prevent these sorts of crimes before they actually take place. It's very satisfying. So to then receive a commendation and be alongside a team of people that I absolutely loved working with, in my time in Melbourne, who are so professional and so dedicated and caring, but balancing that with hard work and empathy. It is a really key moment in my career and I'm really proud of their work.

**Host**

For Chiara, a good result from the court case means it educates families about the illegality of forced marriage.

**Chiara Lascaris (47.47)**

The outcome can be so serious and so deadly that yeah hopefully the message goes out there to families who are considering this at all.

**Host**

Sue Aitken will never forget the hours she spent with Ruqia and hopes that by telling her story, those listening will all end up with a better awareness of the complexities of forced marriage.

**Sue Aitken (48.10)**

I hope that happens. I really do. Then it would be like true justice for her. And we want the offence to be taken seriously.

**Host**



We are going to end with the judge's sentencing remarks made to Ruqia's mother. The judge said, 'You abused your position as her mother, as the person with whom she lived and respected... Whilst you believed you were acting in her best interests, you were not in fact doing so.' She sentenced Ruqia's mother to three years in prison, with twelve months to be served before she is released under several conditions including being of good behaviour. In March this year, the Supreme Court of Victoria Court of Appeal rejected Ruqia's mother's bid to appeal against the severity of her sentence.

If you or someone you know is being forced to marry and you need immediate assistance, you can call 131 AFP (237) or use the AFP's online form to report information regarding human trafficking. For information and confidential support, please contact Australian Red Cross. Call 1800 113 015 or visit [redcross.org.au/stpp](http://redcross.org.au/stpp)

In addition to victim support provided via the AFP, there is also an Additional Referral Pathway administered by the Salvation Army. This pathway aims to assist victims of human trafficking and modern slavery who are not ready or willing to engage with law enforcement,

## **Outro**

### **Host**

The AFP offers a lifetime of opportunities with more than 200 diverse roles across Australia and the world.

Interested in learning more about how the AFP works to protect Australians against human trafficking and modern slavery? Visit [a-f-p-dot-gov-dot-a-u](http://a-f-p-dot-gov-dot-a-u) to discover more.

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