

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(53) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 39) asked:

How many times was Ms Rau interviewed 1 April 2004, and how long did the interviews last?

Answer:

There was one interview between DIMIA and Ms Rau (Anna Brotmeyer aka Schmidt) on 1 April 2004. Departmental records do not indicate how long this interview took.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(54) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 39) asked:

What precise issues were in question in the interview with Ms Rau and what precise details were asked for, particularly what further system checks were undertaken to confirm whether there was a valid visa or an expired visa and, at that point, whether there was consideration given to determine her identity as a separate step.

Answer:

The first interview conducted in person with Ms Rau (Anna Brotmeyer aka Schmidt) by DIMIA Cairns Compliance on 1 April 2004 was conducted with the primary intention of establishing her identity and status in Australia.

Details were sought from Ms Rau (Anna Brotmeyer aka Schmidt) in relation to claimed time/s, place/s documentation utilised and method/s of travel into Australia. Additionally, information was sought from Ms Rau (Anna Brotmeyer aka Schmidt) in relation to any travelling companions, countries travelled through, persons and/or organisations that may have been able to assist with clarifying her claimed identity details.

Please refer to the details provided in response to your question 44 for information pertaining to the checks conducted by DIMIA to establish Ms Rau's (Anna Brotmeyer aka Schmidt) identity.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(55) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 39-40) asked:

What paperwork has been generated as a consequence of Ms Rau being transferred to the Brisbane Women's Correctional Centre?

Answer:

Paperwork includes:

- *Transfer of Custody to QLD Police Service Air Wing on 5 April 2004*
DIMIA to QLD Police Service, Cairns Watchhouse
2 April 2004
- *Transfer of Custody to Detention Services Provider at Brisbane Airport on 5 April 2004*
DIMIA to QLD Police Service, Air Wing
2 April 2004
- *Confirmation and cost of Custody Transfer*
QLD Police Service, Police Air Wing to DIMIA
2 April 2004
- *Request for Service – transfer Cairns to Brisbane on 5 April 2004*
DIMIA to QLD Police Service, Air Wing
2 April 2004
- *Request to hold in Immigration Detention*
DIMIA to Brisbane Women's Correctional Centre
2 April 2004
- *Formal advice that detainee is held as a suspected unlawful non-citizen*
DIMIA to Brisbane Women's Correctional Centre
2 April 2004

- *Request for services from Detention Services Provider on 5 April 2004*

DIMIA to Detention Services Provider

2 April 2004

- *Authorisation of Transfer of Custody to Detention Services Provider at Brisbane Airport*

DIMIA to QLD Police Service, Air Wing

2 April 2004

- *Formal advice that detainee is held as a suspected unlawful non-citizen*

DIMIA to Detention Services Provider

2 April 2004



Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

COMMONWEALTH OF AUSTRALIA

MIGRATION ACT 1958

TRANSFER OF CUSTODY

**OIC
QPS CAIRNS WATCHHOUSE**

I, _____, am an officer for the purposes of the *Migration Act 1958*.

You hold :

**BROTMEYER, Anna DOB 21.03.1970 aka SCHMIDT, Anna DOB UNKNOWN
Female**

("the detainee") in lawful immigration detention under the Act.

I hereby authorise you to transfer custody of the detainee to QPS Airwing
Monday 5th April 2004.

FAYT

DIMIA Cairns
2nd April 2004



Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

COMMONWEALTH OF AUSTRALIA

MIGRATION ACT 1958

TRANSFER OF CUSTODY

OIC
QPS Airwing

I, _____ am an officer for the purposes of the *Migration Act 1958*.

You hold :

**BROTMEYER, Anna DOB 21.03.1970 aka SCHMIDT, Anna DOB UNKNOWN
Female**

("the detainee") in lawful immigration detention under the Act.

I hereby authorise you to transfer custody of the detainee to officers of GE
Brisbane Airport on 5th April 2004.

DIMIA Cairns
2nd April 2004

FAXED



QUEENSLAND POLICE SERVICE

POLICE AIR WING

200 Roma Street
GPO Box 1440
BRISBANE QLD 4001

TELEPHONE (07) 3860 6649 FACSIMILE (07) 3860 4421

Our Ref:

Your Ref:

2 April 2004

Department of Immigration and
Multicultural and Indigenous Affairs
19 Aplin Street
CAIRNS Qld 4870

Dear

I refer to your request for the movement, by Queensland Police Service aircraft, of U
Citizen - Anna SCHMIDT - from Cairns to Brisbane on Monday, 5 April 2004 and advise
your department will be \$262.50 plus GST for this movement.

Please confirm if you wish to proceed by your signed acceptance of the above cost.
proceed, the necessary documentation for payment will be forwarded to you in due course.

Yours sincerely

Chief Pilot
POLICE AIR WING

NUCLEAR

*Please note Above person
AKA BROTMAYER, ANNA*





Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

F a c s i m i l e M e s s a g e

Date: 2 April 2004

DIMA File:

Fax To: QPS Airwing - Brisbane

Phone:
Fax:

From: Compliance Officer
DIMA Cairns QLD

Phone:
Mobile:
Fax:

Number of Pages, including this sheet: One (1)
If you do not receive all pages, please telephone immediately.

Request for Service - Unlawful Non Citizen for Transfer – Cairns to Brisbane

Further to phone conversation with [redacted] following is information relating to proposed transfer of immigration detainee.

SCHMIDT, Anna DOB- UNKNOWN is currently in immigration detention Cairns watchhouse.

It is requested that A/n be transported from **Cairns Watchhouse** to **Brisbane Airport** by **Airwing on 05th April February 2004** if operational requirements of QPS permit.

If A/n is transported to Brisbane, **DIMIA will make arrangements locally to have officers meet the aircraft** and transport A/n to Brisbane Women's Prison where she will be held until proposed removal from Australia.

DIMA undertakes to pay in full, within thirty (30) days of receipt of an official invoice, all costs levied by the Queensland Police Service in relation to the provision of this service.

Please confirm availability and costs involved with the proposed transfer of SCHMIDT, Anna.

If necessary to discuss further, please contact me on number/s above.

Regards,



DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AFFAIRS
INDIGENOUS AFFAIRS

Facsimile Message

Date: 2 April 2004

Fax To: Brisbane Womens Correctional Centre

Phone:
Fax:

From: Movements
Compliance & Investigations

Phone:
Fax:

Number of Pages, including this sheet: Two
If you do not receive all pages, please telephone immediately.

A request to hold in detention for **Anna BROTMAYER @ Anna SCHMIDT (21.03.1970)** follows. She is being escorted from the Brisbane Domestic Airport following her transfer from Cairns on Monday 5 April 2004. The expected arrival time is 11:30 hours and therefore will be at your centre after midday.

If any further information is required, please contact me directly.





COMMONWEALTH OF AUSTRALIA
MIGRATION ACT 1958
REQUEST FOR OFFICER TO HOLD
IN IMMIGRATION DETENTION

(only to be provided to persons who are officers for the purposes of the *Migration Act 1958*)

To **General Manager**
Brisbane Womens' Correctional Centre

I, _____ am an officer for the purposes of the *Migration Act 1958*.

Anna BROTMAYER aka SCHMIDT (21.03.1970) is held in lawful immigration detention under the Act, as:

(tick whichever is applicable)

she is known or reasonably suspected to be:

☒ an unlawful non-citizen; or

☐ a non-citizen whose visa is liable for cancellation; or

she is known or reasonably supposed to be:

☐ a deportee

Section 5 of the Act specifies that you are an officer for the purposes of the Act and you are, therefore, authorised to lawfully hold him in immigration detention.

I hereby request that you hold him in immigration detention.

Signature
02th April 2004





DEPARTMENT OF IMMIGRATION AND MULTICULTURAL
AND INDIGENOUS AFFAIRS

DIMIA REQUEST FOR GEO SERVICES

To: Global Expertise in Outsourcing
Officer In Charge
Arthur Gorrie Correctional Centre

Request for GEO Services

In relation to: Anna BROTMAYER aka SCHMIDT (21.03.1970)

I request you, or another GEO employee who is an officer under the Migration Act 1958, to:

COLLECT the detainee from the Queensland Police Air Wing Monday 5 April 2004 with an expected arrival time of 11:30 hrs.

And *ACCOMPANY* and *RESTRAIN* in Immigration Detention and deliver her to the Brisbane Womens' Correctional Centre that day.

If you have any further queries please contact me on the numbers below.

Regards



Compliance Brisbane
2/04/04
Ph: 07 551 1111
Fax: 07 551 1111



COMMONWEALTH OF AUSTRALIA
MIGRATION ACT 1958
TRANSFER OF CUSTODY

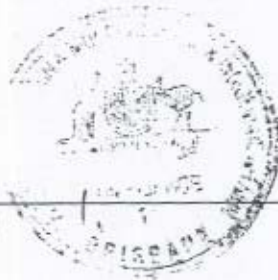
To: The Officer-In-Charge
Queensland Police Service Air Wing

I, _____, am an officer for the purposes of the Migration Act 1958.

You currently hold **Anna BROTMAYER** aka **SCHMIDT (21.03.1970)** ("*the detainee*") in lawful immigration detention under the Act.

I hereby authorise you to transfer custody of the detainee to: **officers of Global Expertise in Outsourcing**, officers authorised under the Act.

Signature
2/04/04





COMMONWEALTH OF AUSTRALIA
MIGRATION ACT 1958
DIRECTION TO ACCOMPANY AND RESTRAIN

To: **Officer-in-charge**
 Global Expertise in Outsourcing
 Arthur Gorrie Correctional Centre
WACOL

I, _____ am an officer for the purposes of the Migration Act 1958
Anna BROTMAYER aka SCHMIDT (21.03.1970) ("*the detainee*") is liable
 held in immigration detention under the Act, as:

She is known or reasonably suspect to be:

- ☒ an unlawful non-citizen; or
- ☐ a non-citizen whose visa is liable for cancellation; or

He is known or reasonably supposed to be:

- ☐ a deportee / removee

Under section 5 of the Act, a person is in immigration detention if the Secretary delegate of the Secretary of the Department of Immigration and Multicultural and Indigenous Affairs directs a person to accompany and restrain the detainee.

As a delegate of the Secretary for the purpose, I now direct you to accompany and restrain **Anna BROTMAYER (21.03.1970)** ("*the detainee*") in Immigration Detention upon her arrival, transport and lodgement in the Brisbane Womens' Correctional Centre on 5 April 2004.

Signature
 2/04/04



QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(56) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 40) asked:

Who requested the transfer to Brisbane? How was the transfer requested? If it was done by letter, provide a copy.

Answer:

Cornelia Rau (Anna Brotmeyer aka Schmidt) was transferred from Cairns Watch house by Queensland Police Service Airwing to Brisbane Women's Correctional Centre on 5 April 2004 where she was held in immigration detention.

DIMIA Cairns submitted a 'Request for Service – Unlawful Non Citizen for Transfer – Cairns to Brisbane' to the Queensland Police Service Airwing on 2 April 2004.

A copy of the form, with certain personal information deleted as appropriate, is attached.

30



Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

Facsimile Message

Date:	2 April 2004	DIMA File:
Fax To:		Phone:
	QPS Airwing - Brisbane	Fax:
From:		Phone:
	Compliance Officer	Mobile:
	DIMA Cairns QLD	Fax:

Number of Pages, including this sheet: One (1)

If you do not receive all pages, please telephone immediately.

Request for Service - Unlawful Non Citizen for Transfer - Cairns to Brisbane

Further to phone conversation with.
proposed transfer of immigration detainee.

. following is information relating to

SCHMIDT, Anna DOB- UNKNOWN is currently in immigration detention Cairns watchhouse.

. It is requested that Aln be transported from Cairns Watchhouse to Brisbane Airport by QPS Airwing on osth April February 2004 if operational requirements of QPS permit.

If Aln is transported to Brisbane, DIMIA will make. arrangements locally to have ACM officers meet the aircraft and transport Aln to Brisbane Women's Prison where she will be held until proposed removal from Australia.

DIMA undertakes to pay in full, within thirty (30) days of receipt of an official invoice, all charges levied by the Queensland Police Service in relation to the provision of this service.

Please confirm availability and costs involved with the proposed transfer of SCHMIDT, Anna.

If necessary to discuss further, please contact me on number/s above.

Regards,

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(57) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 40) asked:

In relation to the Brisbane Women's Correctional Centre, what is the procedure in this particular instance? Is there a procedure that you contact them by telephone and say that you have a, what, for them? Do you say a person, do you say an unlawful non-citizen?

Answer:

The procedures followed are those established between DIMIA and the Queensland Department of Corrective Services, which makes provision for the accommodation of immigration detainees in Queensland correctional facilities. At the present time it is an arrangement in advance of formalisation of a new Service Level Agreement. There is no separate procedure in place between DIMIA and the Brisbane Women's Correctional Centre (BWCC).

Under this current arrangement, DIMIA would normally contact the prison and advise of the impending arrival of an immigration detainee. Where possible, DIMIA provides the facility with an estimated time of arrival and any personal details known about the detainee.

If the immigration detainee is being transferred from another place of detention, then personal property is transferred directly with the detainee. The requisite detention authorities and custody transfer documents are either provided to the facility in advance of arrival or provided at the time of arrival of the detainee at the facility.

Induction processes into the facility are those applicable to the facility.

In the case of Ms Rau (Anna Brotmeyer aka Schmidt), it was the Brisbane DIMIA office which called BWCC, requesting that they hold 'Anna Brotmeyer' aka 'Anna Schmidt (21.03.1970)', as she was known or reasonably suspected to be an unlawful non-citizen. The request was made by both the telephone and formally in a facsimile.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(58) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 40) asked:

Was Ms Rau accompanied in the transfer from Cairns to the Brisbane Women's Correctional Centre by a DIMIA officer?

Answer:

No.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(59) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 40) asked:

Was DIMIA at the Brisbane Women's Correctional Centre when Ms Rau first arrived?

Answer:

No. Standard practice is that a DIMIA official will visit shortly after arrival and reception into the Brisbane Women's Correctional Centre. This is usually during business hours.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(60) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 41) asked:

What checks had been done since the original DIMIA check in the visa system that you indicated earlier, up to 7 April? Is there a record or log of what further checks were made, what was the nature of those checks?

Answer:

Please refer to the details provided in response to your question 44.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(61) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 41) asked:

What external checks were made between 31 March and 7 April?

Answer:

The Honorary German Consul in Cairns was contacted and subsequently attended the Cairns Watch House to hold an interview with an immigration detainee who had identified herself as Anna Brotmeyer, a German national.

A DIMIA officer in Cairns undertook searches on departmental databases. During one of these searches a person with a name similar to *Anna Brotmeyer* was identified as a lawful non-citizen.

Enquiries were then conducted to establish whether Ms Rau (Anna Brotmeyer aka Schmidt) was the registered visa holder. The person identified on the Department's database was contacted by telephone and her identity was established.

A passport was found in Ms Rau's (Anna Brotmeyer aka Schmidt) possession. The owner of the passport was contacted and claimed she had no knowledge of Ms Rau (Anna Brotmeyer aka Schmidt) or a person of her description.

Please also refer to the answer to your question 44 for specific details.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(62) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 41) asked:

Did the honorary consul in Cairns provide a report to you about their view of the person, who they might be, whether they were on an expired visa, whether they were German et cetera?

Answer:

A report was provided by the Consulate over the phone. Notes of this discussion indicate that Consul did not believe Ms Rau (Anna Brotmeyer aka Schmidt) was a naturally speaking German, and may possibly be Russian. The Consul undertook to refer the matter to the Consulate in Sydney, but without further information they were not able to offer further assistance.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(63) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 42) asked:

Did Ms Rau give her permission to see the honorary consul?

Answer:

Ms Rau (Anna Brotmeyer aka Schmidt) requested contact with the honorary consul.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(64) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 42) asked:

Provide a copy of the fax that was sent to the Queensland Missing Persons and a copy of their reply.

Answer:

A copy of the fax to the Queensland Missing Persons Unit as well as an annotated copy of the Unit's response is attached. Certain personal information as appropriate has been deleted.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(65) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 42) asked:

Did the DIMIA official make a record or a note of the interview with Ms Rau on 7 April 2004? Provide a copy.

Answer:

Yes. A copy of the interview notes, with certain personal information deleted as appropriate, is attached.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(66) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 43) asked:

On what dates did a DIMIA officer visit Ms Rau in the Brisbane Women's Correctional Centre?

Answer:

DIMIA officers were regular visitors to the Brisbane Women's Correctional Centre (BWCC) to visit as well as discuss the general welfare of all immigration detainees, including Ms Rau (Anna Brotmeyer aka Schmidt). During Ms Rau's (Anna Brotmeyer aka Schmidt) time at the BWCC there were only small numbers, maximum of six, in immigration detention at any one time.

Telephone contact by DIMIA was also made on a number of occasions with BWCC to discuss the care needs of all immigration detainees.

The following outlines the dates that DIMIA Brisbane office was in contact with either Ms Rau (Anna Brotmeyer aka Schmidt) or the BWCC for the period beginning slightly prior to her being transferred there on 5 April 2004.

Date	Action
2/04/2004	Fax to BWCC to inform of pending transfer
5/04/2004	Telephone call to BWCC to ensure transfer was without incident
6/04/2004	Fax to BWCC to request access to Ms Rau (Anna Brotmeyer aka Schmidt)
7/04/2004	Ms Rau (Anna Brotmeyer aka Schmidt) interviewed by DIMIA officer
9/04/2004	Contact with DIMIA officer by Ms Rau (Anna Brotmeyer aka Schmidt)
15/04/2004	DIMIA Brisbane contacted BWCC.

Date	Action
29/04/2004	Fax to BWCC to request access to Ms Rau (Anna Brotmeyer aka Schmidt)
30/04/2004	Ms Rau (Anna Brotmeyer aka Schmidt) interviewed by DIMIA officer
11/05/2004	Discussion with BWCC regarding German passport application which was subsequently faxed to BWCC
4/06/2004	DIMIA officer visited BWCC
8/06/2004	Discussion with BWCC regarding female immigration detainees
10/06/2004	Discussion between BWCC and DIMIA Brisbane regarding female immigration detainees
17/06/2004	DIMIA officer visited BWCC
23/06/2004	Discussion between BWCC and DIMIA Brisbane regarding several immigration detainees
19/07/2004	Advice from BWCC re Ms Rau's (Anna Brotmeyer aka Schmidt) behaviour
27/07/2004	Discussion with BWCC regarding pending visit on 28/07/2004
28/07/2004	DIMIA officer visited BWCC
(prior to) 10/08/2004	Discussion with BWCC regarding health assessment procedures for Ms Rau (Anna Brotmeyer aka Schmidt)
17/08/2004	Discussion regarding possible external assessment of Ms Rau (Anna Brotmeyer aka Schmidt) as a result of assessment at BWCC on 10 August 2004
19/08/2004	Discussion with BWCC medical unit regarding logistics of Ms Rau's (Anna Brotmeyer aka Schmidt) transfer to Princess Alexandria Hospital
20/08/2004	Transfer co-ordinated and finalised
26/08/2004	Ms Rau (Anna Brotmeyer aka Schmidt) returned to BWCC
2/09/2004	DIMIA officer visited BWCC

Date	Action
10/09/2004	Co-ordination between DIMIA Brisbane and BWCC of Honorary German Consul's visit to Ms Rau (Anna Brotmeyer aka Schmidt) at BWCC
23/09/2004	Co-ordination between DIMIA Brisbane and BWCC of documentation regarding transfer to Baxter Immigration Detention Facility (IDF)
30/09/2004	Ms Rau (Anna Brotmeyer aka Schmidt) interviewed by DIMIA officer. Discussion with BWCC re transfer
4/10/2004	Documentation regarding transfer faxed to BWCC
6/10/2004	Co-ordination and finalisation of transfer to Baxter IDF; DIMIA officer attended airport

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(67) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 44) asked:

Provide the committee with information as to what searches were done in both the systems and log between 7 April and 6 October.

Answer:

Please refer to the details provided in response to your question 44.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(68) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 46) asked:

What was the purpose of the interview on 30 September 2004?

Answer:

Three officials from DIMIA's Brisbane Office visited the Brisbane Women's Correctional Centre (BWCC) on 30 September 2004. The purpose of the visit was to both introduce two of the DIMIA officials to staff at the facility and to Ms Brotmeyer, who was detained at the facility for immigration purposes, as the DIMIA officer formerly responsible for her case was transferring inter-state.

The three DIMIA officials spoke with Ms Brotmeyer and advised that as the Department had not yet been able to confirm her identity or immigration status, arrangements were being made for her transfer to the Baxter Immigration Detention Facility (IDF) where these efforts would continue.

Ms Brotmeyer was again asked whether she could provide any further information to assist in establishing her identity or immigration status.

The consent of the person concerned is not required for such a transfer. Nevertheless, DIMIA officers sought Ms Brotmeyer's cooperation in the transfer, explaining that Baxter IDF was a better facility for managing the needs of longer term immigration detainees. Ms Brotmeyer advised she would prefer to remain at the BWCC and refused to sign the 'notice of intention to transfer' to acknowledge that she was advised of the planned transfer.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(69) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 46) asked:

Where is the record of interview kept? (In reference to the interview of 30 September 2004)

Answer:

Contemporaneous notes outlining the nature of the conversation between Ms Rau (Anna Brotmeyer aka Schmidt) and the DIMIA officer (on 30 September 2004) is contained in an official Department notebook. This notebook is held in a safe within the Department's Brisbane office, which is standard practice.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(70) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 47) asked:

In terms of the reporting arrangements between the Brisbane Women's Correctional Centre – under the Queensland Department of Corrective Services – and DIMIA, particularly in regard to the welfare and health of the detainee, how are those arrangements carried out? In this instance, what was communicated precisely to DIMIA? What did DIMIA request in relation to the health and wellbeing of Cornelia Rau whilst in detention? It seems that Ms Rau spent some time with the health authorities that were provided by the correctional services department and with another hospital to which she had been transferred. I want all of that detail. When was that? In other words: the file, the dates and all of that.

Answer:

DIMIA officers routinely visit the Brisbane Women's Correctional Centre (BWCC) to meet with Correctional staff, immigration detainees and to discuss general welfare associated with immigration detainees in the facility. During Ms Rau's (Anna Brotmeyer aka Schmidt) time at the BWCC there were only small numbers of women, a maximum of six, in immigration detention at any one time.

Telephone contact by DIMIA was also made on a number of occasions with BWCC to discuss the care needs of Ms Rau (Anna Brotmeyer aka Schmidt) and other female immigration detainees. Arrangements are also in place for exceptional and after hours reporting.

Ms Rau's (Anna Brotmeyer aka Schmidt) day to day needs were managed by the Queensland Correctional Services. Decisions regarding Ms Rau's (Anna Brotmeyer aka Schmidt) health needs were made by the appropriate health care professionals within the Queensland correctional facility.

On 19 May 2004, Ms Rau (Anna Brotmeyer aka Schmidt) was assessed by the BWCC psychologist who concluded "...Nil evidence of mental health illness noted or described. Nil further follow-up required by Prison Mental Health Service at this time".

Following discussions between DIMIA Brisbane and BWCC relating to her ongoing management and behaviour, Ms Rau (Anna Brotmeyer aka Schmidt) was seen by a psychiatrist at BWCC on 10 August 2004. The psychiatrist's recommendation for admission to a hospital for further assessment was facilitated by DIMIA.

Ms Rau (Anna Brotmeyer aka Schmidt) was transferred to Princess Alexandra Hospital on 20 August 2004 and returned to BWCC on 26 August 2004.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(71) Output 1.3: Enforcement of Immigration Law

Senator Chris Evans (L&C 48) asked:

Was DIMIA asked to pay for Ms. Rau's health costs in Brisbane and, if so, did DIMIA pay?

Answer:

To date the Department has not been asked to pay for health costs in Brisbane for Ms Rau (Anna Brotmeyer aka Schmidt).

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(72) Output 1.3: Enforcement of Immigration Law

Senator Bartlett (L&C 52) asked:

Provide information on guardians that the Minister referred to and examples of that.

Answer:

There are four reported cases of immigration detainees being appointed a guardian, after entering immigration detention, by the South Australian Guardianship Board. One in March 2002; one in January 2004 and two in February 2005. To date the Board has appointed the SA Public Advocate as the Guardian.

In these cases the Department has advised the SA Guardianship Board that the exercise of authority under the South Australian Guardianship and Administration Act 1993 and/or Mental Health Act 1993 needs to be consistent with the provisions of the Migration Act. The Board is assured of the Department's willingness to work cooperatively with a Guardian to ensure that an immigration detainee's interests are protected and the Department's obligations under the Migration Act continue to be satisfied.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(73) Output 1.3: Enforcement of Immigration Law

Senator Bartlett (L&C 57) asked:

What was the non-government organisation in Adelaide that DIMIA had discussions with to explore whether alternative detention arrangements could be made for Ms Rau?

Answer:

The Australian Refugee Association Inc.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(74) Output 1.3: Enforcement of Immigration Law

Senator Bartlett (L&C 58) asked:

Provide a copy of the file notes of all those conversations between DIMIA officials and South Australian health officials.

Answer:

The Department was in regular contact with the South Australian health authorities, this included Departmental officers in Canberra and Baxter IDF. This communication included telephone calls, correspondence and e-mail messages. Records are not routinely kept of all conversations.

Please note that many of the communications with the South Australian health authorities are referenced in the response provided in Question 44 to Senator Ludwig.

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 15 February 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(75) Output 1.3: Enforcement of Immigration Law

Senator Nettle asked:

Provide a list of the people who were detained because they were not who DIMIA believed them to be and indicate the period for which they were detained, their nationality and whether they received a settlement. Also provide details of the amount of money that has been spent as a total on both the detention and the settlements for those individuals.

Answer:

During the Senate Estimates hearings of February 2005, Mr McMahon, Executive Coordinator Border Control & Compliance Division stated that "I do not believe there was any way we (DIMIA) can get that information. We can get some information around it..."

However, we are unable to provide an answer as there is no facility in DIMIA systems to report according to identity issues. To answer the question as framed would require a manual examination of individual records and would be an unreasonable diversion of departmental resources.

Individual detention costs are not available, however the average daily detention cost for a person is estimated to be \$189.

The Department's response to QoN 114 asked by Senator Ludwig provides details of settlements.