

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 13 FEBRUARY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(AE12/0387) Program 4.2: Onshore Detention Network

Senator Cash asked:

MARIBYRNONG I refer to the article in the online Herald Sun of 18 January 2012 entitled "Detention Staff detail Drug Use and Assaults" - How many former prison inmates are being held in detention? How many allegations of inappropriate and criminal behaviour have been referred to the Australian Federal Police? How many of these allegations have been subsequently investigated by the Australian Federal Police? The article quotes a Serco spokesman as saying that "complaints of illegal activity were reported to the department and "where appropriate, the police". What is the definition of "illegal activity"? On how many occasions have reports of illegal activity been reported to the Department by SERCO? Have these reports been investigated?

Answer:

The Department is not always aware of an individual detainee's prison history if it is not relevant to their immigration pathway. However, as at 28 February 2012, there were sixteen known ex-prisoners detained at Maribyrnong IDC.

It is the responsibility of Serco to refer incidents in detention to the Australian Federal Police (AFP). In the period September 2011 to February 2012, 22 incidents at Maribyrnong IDC were referred to either the Victorian Police or AFP. The AFP has the discretion to determine whether further investigation is to be undertaken.

The definition of "illegal activity" in immigration detention is synonymous with the definition that exists in the Australian community.

The Department takes all allegations of illegal activity seriously. Serco are required to report all incidents including allegations of illegal activity to the Department. Following referral by Serco, the AFP makes decisions in relation to whether an incident will be investigated or not.