

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 22 May 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(215) Output 1.3: Enforcement of Immigration Law

Senator Webber asked:

1. Have all recommendations of the Palmer Report regarding mental health been implemented?
2. Have any not been implemented?
3. Why not?

Answer:

1. In his report Mr Palmer made a number of recommendations that would lead to improvement of the mental health care services for people in immigration detention. These improvements have been implemented, or are in progress, and are making a significant contribution to enhancing the mental health and wellbeing of people in detention.

Following the Palmer Report the Department established the Detention Health Branch which is responsible for the oversight of mental health related initiatives arising from the Palmer Report and additional initiatives funded through the 2006-07 Budget. Improvements that address Palmer recommendations and additional needs since the Palmer Report include:

- All detainees, who are received into any immigration detention facility, are assessed for mental health concerns using validated and reliable mental health assessment instruments. (*Palmer recommendation 6.4*);
- In addition to the above mental health assessment process, a model for enhanced mental health capacity and service delivery was initiated at the Baxter Immigration Detention Facility in May 2005 and is being rolled out to all Immigration Detention facilities. (*Palmer recommendation 6.4*);
- Detainees who screen positive for mental health concerns are referred to a multidisciplinary mental health team for diagnosis, the development of a specific mental health management plan and ongoing mental health care. (*Palmer recommendation 6.4*);
- A future Detention Health Strategy has been developed to provide a fair and appropriate level of health care to people in immigration detention. The Detention Health Strategy articulates the nature and range of health care that can be expected to be received by people in immigration detention. It will provide a more open and accountable provision of health and mental health care, through the development of service standards that can be measured and monitored. (*Palmer recommendation 6.4 and Budget 06/07 initiatives*);
- Changes have been made to the detention environment focusing on increased activities for detainees within and outside of the detention facility. This includes new sporting

facilities and more open setting that will contribute to an environment that will promote the mental health and well being of those in the facility. (*Palmer recommendation 4.13*);

- The Department has established the Detention Health Advisory Group (DeHAG). The Group provides the Department with advice regarding the design, implementation and monitoring of health care for people in immigration detention. The Group is made up of experts in psychiatry, psychology, public health, dentistry, refugee services, nursing, general practice and the Ombudsman's Office, which has observer status. It is noted that the DeHAG reflects the need for the establishment of the Health Advisory Panel. (*Palmer recommendations 6.10, 6.13*);
- Ongoing consultation is occurring with States and Territories to improve access for people in immigration detention to health services including public hospitals. A Memorandum of Understanding (MOU) has been finalised with the South Australian Health Department to formalise clinical protocols. Bilateral negotiations with the Northern Territory, Western Australia and Queensland have commenced and discussions with New South Wales, Victoria and Tasmania will begin in September 2006. (*Palmer recommendation 6.8*); and
- In response to the recommendations of the Roche review undertaken in late 2005, the Department will go out to tender on its Detention Services Contract (DSC). In this context it was also announced that a separate contract would be developed to deliver health and psychological services in the detention environment. The Department has commenced the process to novate the health services contract from the existing DSC working with the Detention Services Provider and its health subcontractors with the novation to be operation by September 2006 (*Palmer recommendations 6.7, 7.7*).

An independent review has been undertaken by an external consultant to evaluate the Detention Services Division's response to Palmer Recommendations and ensure that recommendations from the Palmer Report are appropriately addressed.

2. Yes.

3. Palmer recommendations not being progressed are:

- The establishment of the Immigration Detention Health Review Commission is not being progressed (*Recommendation 6.11*). The proposed Commission was not established following consultation with the Commonwealth Ombudsman and Dr David Chaplow, Director of Mental Health in the New Zealand Ministry of Health (consulting psychiatrist to the Palmer Inquiry), who agreed that the Commission was not needed given the new oversighting role of the Commonwealth Ombudsman for Immigration. In addition, the Detention Health Advisory Group (DeHAG) will ensure that the Department is appropriately advised on the development and provision of health care services for people in immigration detention.; and
- Redrafting the South Australia *Mental Health Act 1993* has not been implemented as this is the responsibility of the South Australian Government (*Recommendation 6.14*).