

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARINGS: 24 MAY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE11/0693) Program 4.3: Offshore Asylum Seeker Management

Senator Cash asked:

In relation to people in community detention, will those who cause damage to the facility or other property be subject to criminal charges and if not, what is the justification for not charging these detainees.

Answer:

Where damage has occurred to a property being used for community detention the Department works with the Red Cross to identify the cause of the damage and takes appropriate action. This may include explaining property maintenance and the responsibilities of the client while in community detention.

Where it is found that the damage to property is malicious, rather than accidental, steps will be taken to recover the cost of repairs from the client.

A decision on whether to seek criminal charges will depend on the circumstances and the amount of damage caused. The Department requires the Red Cross to engage with the police where required, and it will be for the police to work with the landlords and/or property managers to determine whether criminal charges should be laid.