

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 21 OCTOBER 2008

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(62) Output : Internal Product

Senator Fierravanti-Wells (L&CA 115) asked:

Could you also take on notice whether there are any contingent liabilities outstanding in relation to the detention centre contract and the contractors arising out of any court proceedings where allegations have been made about any incidents? There was a series of cases some time ago relating to incidences in detention centres where the department and the contractor were sued, alleging all sorts of things had happened. I do not know if there are any more of those cases, but I would be interested to know if there are. Could you take that on notice if there are any contingent liabilities in relation to that?

Answer:

As at 3 November 2008 there are nine matters involving claims against the Commonwealth and the detention service providers in relation to incidents that allegedly occurred in detention centres. Two claims relate to persons in the 247 Ombudsman review case load.

Under the Department's insurance policy, Comcover is responsible for managing these claims on behalf of the Department.

The Commonwealth's external legal representatives have advised that as these matters are ongoing, the release of information relating to possible contingent liabilities may prejudice the Commonwealth's legal position and ongoing management of these matters.