

Attachment A

Coalition Members' Position on Majority Report Recommendations

COMMITTEE RECOMMENDATION	COALITION MEMBERS POSITION
3.34 The Committee recommends that the Department of Immigration and Citizenship continue to robustly contract manage Serco's obligation to provide appropriate activities for detainees.	Supported
3.36 The Committee recommends that the Department of Immigration and Citizenship consider other accommodation or recreation options for detainees when the amenity of a facility is compromised due to construction or maintenance projects.	Supported
3.56 The Committee recommends that the Department of Immigration and Citizenship conduct robust auditing of Serco staffing ratios and training, in line with the recommendations in the Comcare report and Hawke-Williams review.	Supported
3.64 The Committee reiterates the recommendation made by the Commonwealth Ombudsman that the Department of Immigration and Citizenship, conduct a review of the quality and management of incident reporting across immigration detention network, and also assess Serco's capacity to monitor its own compliance with the reporting guidelines.	Supported
3.78 The Committee recommends that the Department of Immigration and Citizenship appoint an independent	Supported

expert to inquire into the appropriate qualifications for Serco Client Service Officers and make appropriate amendments to its contract with Serco.	
3.91 The Committee recommends that the Department of Immigration and Citizenship effectively contract manage Serco's implementation of the Psychological Support Program Policy.	Supported
3.92 The Committee recommends that the Department of Immigration and Citizenship work with Serco and the Detention Health Advisory Group to reform the Keep Safe policy to ensure it is consistent with the Psychological Support Program Policy, as soon as possible.	Supported
3.93 The Committee recommends that the Department of Immigration and Citizenship ensures that Serco provides adequate Detention Health Advisory Group-endorsed mental health training to Serco officers who implement the Psychological Support Program Policy.	Supported
3.104 The Committee recommends that Serco develop and implement improved proactive procedures to support staff following critical incidents.	Supported
3.109 The Committee recommends that the Department of Immigration and Citizenship ensure Serco has appropriate procedures and training in place so that only where International Health and Medical Services personnel are not available can senior Serco managers participate in the secondary dispensing of medication.	Supported
3.118 Consistent with the findings of the Hawke-Williams review, the Committee recommends that the	Supported See also Coalition member

government finalise a security protocol between Serco, the Australian Federal Police and local police in each state and territory.	recommendations
3.128 The Committee recommends that the Department of Immigration and Citizenship require Serco local managers to apply a consistent practice and procedure protocol to visits across the network, in accordance with the information provided on the Department website.	Supported
3.129 The Committee recommends that the Department of Immigration and Citizenship continue to improve visitor facilities across the network.	Does not oppose, subject to budget
4.38 The Committee recommends that International Health and Medical Services staff be rostered on a 24 hour a day basis at all non-metropolitan detention facilities.	Not supported, should continue to be based on circumstances assessed by DIAC at each facility.
4.39 The Committee recommends that the Department of Immigration and Citizenship assess, on a case by case basis, the need for International Health and Medical Services staff to be rostered on a 24 hour a day basis at metropolitan detention facilities.	Supported
4.69 The Committee recommends that the Department of Immigration and Citizenship work with International Health and Medical Services pilot regular mental health outreach services in detention facilities.	Supported
4.91 The Committee recommends that the Department of Immigration and Citizenship develop a transport capability to transfer detainees with non-acute injuries to remote hospitals.	Not supported
5.65 The Committee recommends that,	Not supported

<p>as a matter of policy, the Department of Immigration and Citizenship accommodate detainees in metropolitan detention facilities wherever possible, in particular children and families, and those detainees with special needs or with complex medical conditions.</p>	
<p>5.96 The Committee recommends that relevant legislation be amended to replace the Minister for Immigration as the legal guardian of unaccompanied minors in the immigration detention system.</p>	<p>Not supported</p>
<p>5.109 The Committee recommends that the Department of Immigration and Citizenship develop and implement a uniform code for child protection for all children seeking asylum across the immigration system.</p>	<p>Not opposed, but further assessment required of legal and operational implications of such a Code and a more specific proposal of what such a Code might constitute</p>
<p>5.110 The Committee further recommends that the Department of Immigration and Citizenship adopt Memoranda of Understanding with children's commissions or commissioners in all states and territories as soon as possible.</p>	<p>Not supported, Minister's guardian powers are considered sufficient</p>
<p>5.119 The Committee recommends that the Australian Government take further steps to adhere to its commitment of only detaining asylum seekers as a last resort and for the shortest practicable time, and subject to an assessment of non-compliance and risk factors, as enunciated by the <i>New Directions</i> policy.</p>	<p>Coalition policy is for mandatory detention to be observed for all IMAs until their status is determined. Under Coalition policy all new IMA's would be processed offshore at Nauru.</p>
<p>5.120 The Committee further recommends that asylum seekers who pass initial identity, health, character and security checks be immediately granted a bridging visa or moved to community detention while a</p>	<p>Not supported. Residence determination powers should be reserved for those designated as vulnerable.</p>

<p>determination of their refugee status is completed, and that all reasonable steps be taken to limit detention to a maximum of 90 days.</p>	
<p>5.121 The Committee recommends that the Department of Immigration and Citizenship be required to publish on a quarterly basis the reasons for the continued detention of any person detained for more than 90 days, without compromising the privacy of the individuals.</p>	<p>Not supported. Existing reporting requirements and accountability provisions are sufficient.</p>
<p>6.61 The Committee recommends that the Department of Immigration and Citizenship consider revising and enhancing its system of quality control to oversee those Refugee Status Assessment and Internal Merits Review processes still underway.</p>	<p>Supported</p>
<p>6.96 The Committee recommends that the Australian Government move to place all asylum seekers who are found to be refugees, and who do not trigger any concerns with the Australian Security Intelligence Organisation following initial security checks, and subject to an assessment of non-compliance and risk factors, into community detention while any necessary in-depth security assessments are conducted.</p>	<p>Not supported</p>
<p>6.151 The Committee recommends that the Australian Government and the Australian Security Intelligence Organisation establish and implement periodic, internal reviews of adverse Australian Security Intelligence Organisation refugee security assessments commencing as soon as possible.</p>	<p>Not supported</p>
<p>6.152 The Committee recommends that the Australian Security Intelligence</p>	<p>Not supported</p>

<p>Organisation Act be amended to allow the Security Appeals Division of the Administrative Appeals Tribunal to review Australian Security Intelligence Organisation security assessments of refugees and asylum seekers.</p>	
<p>7.16 The Committee recommends that the Department of Immigration and Citizenship consider publishing criteria for determining whether asylum seekers are placed in community detention or on bridging visas.</p>	<p>Not supported. Residence determination powers should be reserved for those assessed as vulnerable and remain at the discretion of DIAC.</p>
<p>7.91 The Committee recommends that the Australian Government and the Department of Immigration and Citizenship seek briefing on control orders in use by the criminal justice system and explore the practicalities of employing similar measures for refugees and asylum seekers who are in indefinite detention or cannot be repatriated.</p>	<p>Not opposed, however Coalition members do not support release of detainees who have a negative security assessment or have been deemed to not satisfy the general or criminal conduct provision of the character test.</p>
<p>8.59 The Committee recommends that the Department of Immigration and Citizenship continue to work towards implementing all of the recommendations made by the Hawke-Williams review, and that the Minister for Immigration and Citizenship report to the Parliament no later than 20 September 2012 on progress in implementing the review recommendations.</p>	<p>Supported, however the Minister should be required to provide a report in a statement to the House of Representatives by 21 June 2012.</p>