



1 February 2006

Mr Owen Walsh
Committee Secretary
Senate Legal and Constitutional Committee
Suite S1.61
Parliament House
CANBERRA ACT 2600

GSL (Australia) Pty Ltd

A.B.N. 64 100 104 658
Level 4
441 St Kilda Road
Melbourne Vic 3004
PO Box 7190 St Kilda Road
Melbourne Vic 8004
Australia

Tel: 61 3 9864 4044
Fax: 61 3 9866 8568
www.gslpl.com.au

Dear Mr Walsh

In my letter of 31 January, forwarding to you GSL's answers to the Committee's Questions on Notice, I said that four lengthy appendices would follow separately. The number of appendices is in fact five and I am attaching them now for your attention. They are identified in the relevant sections of the answers.

The appendices are:

- Appendix A - GSL (Australia) Pty Ltd Annual Report for 2004. [Paragraph 2.1 (2)]
- Appendix B - Subsidiaries of Global Solutions Limited. [Paragraph 3.1]
- Appendix C - Operational Procedure 2.7 *Meaningful Activity Merit Point System* [Paragraph 4.3 (1)]
- Appendix D - Shop/Canteen Order Form [Paragraph 4.3 (4)]
- Appendix E - Summary of Merit Points applied at each centre to 1 December 2005 [Paragraph 4.3 (5)]

I would be grateful if you would insert these as appropriate.

With kind regards

A handwritten signature in cursive script that reads "Sean Devlin".

P.P. Tim Hall
Director of Public Affairs

GSL (Australia) Pty Ltd

ANSWERS TO QUESTIONS ON NOTICE

Senate Legal and Constitutional Committee

Inquiry into the administration and operation of the *Migration Act 1958 (Cth)*

1. HEALTH ISSUES

1.1 Senator Fierravanti-Wells asked GSL upon notice:

With reference to mental health assessments at detention centres:

(1) Will GSL provide: (a) an outline of the mental health assessments that happen at the detention centres; and (b) information about the mental health screening, assessment and procedures that are involved at Baxter and the other detention facilities.

(2) Will GSL provide information about: (a) the sorts of changes that may have been implemented; and (b) any consultation or liaison arrangements that have been made with DIMIA in terms of strategic planning.

(3) Will GSL provide information on the timing of this, given the environmental change that is now happening, and the reasons why this has perhaps taken a little bit longer than was anticipated.

GSL - The answer to the Honourable Senator's question is as follows:

(1) (a) Minimum mental health assessments at all facilities, prior to the introduction of the Enhanced Integrated Mental Health Service (EIMHS) at Baxter IDF, include a suicide and self-harm (SASH) screening assessment on reception, and an assessment of general physical and emotional health needs, also conducted on reception, including mental health symptoms and suicide/self-harm presentations. A mental status examination is also utilised to formulate the person's mental health presentation. (b) The EIMHS has been implemented at Baxter IDF and following a three-month trial, it is anticipated that it will be rolled out to all immigration detention facilities before the end of March 2006. Mental health screening, assessment and interventions under the EIMHS include the following:

- (i) standardised screening assessment, utilising the HoNOS (Health of the Nation Outcome Scores) in conjunction with a mental status examination. Specified points of administration by the Mental Health Nurse are within 72 hours of reception and then three-monthly reviews. In addition, at any time a mental health referral is received from unrestricted referral sources (multi-modal referrals), an assessment is conducted by a mental health nurse.
- (ii) SASH screening assessment and an assessment of detainees' physical and emotional needs continue to be conducted on reception.
- (iii) A Kessler 10 (K10) assessment is conducted at reception by a health nurse, subject to the detainee's willingness to participate. The K10 involves written answers relating to their current well-being. It may be repeated at the time of subsequent HoNOS reviews, again with the detainee's willingness to participate.
- (iv) Other related mental health assessments include mental status examinations and/or SASH assessments conducted by health nurses, mental health nurses and/or a psychologist as identified within the SASH and Voluntary Starvation Operating Procedures.

(2) (a) Changes to mental health screening, assessment and interventions under the EIMHS are included in the previous answer. (b) Project planning has involved GSL, its health services providers PSS (psychological services) and IHMS (health care services), and DIMIA.

(3) The ongoing consultation process, involving all stakeholders, was necessary to ensure that we got a high quality product.

1.2 Senator Fierravanti-Wells asked GSL upon notice:

(a) Did GSL seek advice from psychiatric experts on the impact of the behaviour plan on mentally ill or other vulnerable people; (b) if so, what was this advice, and if not, why not.

GSL - The answer to the Honourable Senator's question is as follows:

(a) Yes. GSL and its health services providers have been actively involved in the Health Subcommittee established by DIMIA. The Terms of Reference for these meetings have included the discussion and resolution of management approaches to high need and sensitive health cases. (b) Professor Harvey Whiteford, Kratzmann Professor of Psychiatry and Population Health at the University of Queensland, and previously Director of Mental Health in the Queensland and Commonwealth Governments, developed a service delivery flow-chart that captures required minimum workplace practices to ensure that all persons in detention receive ongoing mental health screening assessments. These workplace practices promote the appropriate identification and intervention of persons with mental health presentations, or vulnerable personalities that may precipitate a mental health presentation. Early intervention and/or ongoing mental health intervention, including the provision of clinical pathways for these persons, is then routinely provided.

1.3 The Chair asked GSL upon notice:

What was the total cost to GSL of all psychiatric care last year.

GSL - The answer to the Honourable Senator's question is as follows:

The total cost of psychiatric services for Financial Year 2004 was \$1,935,203.

1.4 The Committee asked GSL upon notice:

In regard to section 7.1.3 of the Detention Services Contract, which deals with the burden of costs for detainee health costs:

(1) (a) Have the protocols mentioned been developed in regard to who bears the burden of costs when a detainee is transferred to hospital; (b) if so, what are these protocols and if not, why not; and (c) how often would GSL be responsible for the cost of hospitalisation.

GSL - The answer to the Honourable Senators' question is as follows:

(1) (a) Draft Detention Services Contract Health Protocol: Number 1 is under review by DIMIA and GSL. Parts 7 to 9 of the protocol address the responsibility of costs for a detainee being admitted to hospital. (b) In essence, the prevailing rule is that a detainee must remain in hospital beyond midnight on the day of admission before responsibility passes to DIMIA. While there are some exceptions to this rule, it is the accepted principle which determines when payments to GSL by DIMIA are made. There are rare circumstances when GSL may be liable for the cost of 'past-midnight' hospitalisation, but to date there have been no such occurrences.

1.5 The Committee asked GSL upon notice:

In regard to mental health issues, there is concern that Cornelia Rau and other detainees have not received proper and timely treatment for mental health issues. Some people have said that the cost structures in the contract provide an incentive for detainees to be treated in-house rather than by external health professionals.

(1) (a) Is cost a factor in considering the treatment plan for detainees; (b) what is GSL doing about the prevalence of mental illness in detention centres; (c) Does GSL accept the statement, put by expert psychiatric witnesses to this Inquiry, that the detention environment itself is making people mentally ill, and if not, why not; and (d) what increase in the health component of GSL expenditure has occurred.

GSL - The answer to the Honourable Senators' question is as follows:

(1) (a) It was apparent from the findings of the Palmer Inquiry that an enhanced mental health service needed to be introduced. Increased service levels necessitate additional funding and this is under discussion by GSL and DIMIA. (b) The Enhanced Integrated Mental Health Service (EIMHS) is currently being implemented. The establishment of service delivery, centred around a Clinical Team Leader (a psychiatrist), a Team Leader, and mental health nurses, has been consolidated. The initiatives will meet key objectives required of GSL by DIMIA, including appropriate mental health assessment for adults; early intervention when mental health issues are emerging in a detainee; and ongoing mental health treatment for detainees with a mental health illness. An essential prerequisite to the EIMHS at Baxter is the Environmental Change Program (ECP). The ECP conceptual framework is underpinned by three principles that guide the encouragement of pro-social behaviour, which in turn provides for self-determination. These principles include redefining the environment of the facility. (c) GSL does not have the professional expertise to comment on this opinion. (d) Table 1.1 shows the increase in the health component of GSL expenditure. (NB: During Financial Year 2005 GSL commenced the process of delivering the EIMHS).

Health Care	2003	2004	2005	Comments
Health Services				
Health Care – International SOS	158,251	5,318,182	5,039,030	
Hospital (Day Care)	0	267,356	387,222	
Hospital (Recharge)	0	0	859,681	Recharged to DIMIA at cost + 10%
IHMS Management Fees	0	41,056	252,291	
IHMS Mental Health	0	0	371,772	Recharged to DIMIA at cost + 10%
Clinical Reports (Recharge)	0	0	8,666	Recharged to DIMIA at cost + 10%
Pharmacy	0	457,292	596,703	
Nurses on call	0	0	441,934	
Third Party Referrals	680	962,148	848,289	
Pathology		382	2,872	
Total Health Services	158,931	7,046,416	8,808,460	
Psychological Services	0	1,935,203	2,355,052	
Grand Total	158,931	8,981,619	11,163,512	

***Note - the above figures include inscope and out of scope centres. A breakdown per inscope and out of scope is below.**

Health Care	2003	2004	2005	Comments
Health Services				
Inscope Centres	104,931	6,565,486	8,314,420	
Out of Scope Centres	54,000	480,930	494,219	
Total Health Services	158,931	7,046,416	8,808,460	
Psychological Services				
Inscope Centres	0	1,812,650	2,205,137	
Out of Scope Centres	0	122,552	149,915	
Total Psychological Services	0	1,935,202	2,355,052	
Grand Total	158,931	8,981,619	11,163,512	

Table 1.1: Increase in health component of GSL expenditure, 2003-05

Note: 2005 financial data is subject to audit by PricewaterhouseCoopers

2. FINANCIAL ISSUES

2.1 The Chair asked GSL upon notice:

With reference to the Detention Services Contract:

- (1) What is the expected value of the contract (a) last year; (b) this year.
- (2) Will GSL provide the Committee with last year's audited statements.

GSL - The answer to the Honourable Senator's question is as follows:

(1) (a) The turnover for Financial Year 2004 was \$72,247,231. (b) The turnover for Financial Year 2005 was \$86,707,106 (subject to audit by PricewaterhouseCoopers). (NB GSL's financial year is based on a calendar year, ending 31 December.)

(2) Financial Statements reflecting the consolidated operations of GSL (Australia) Pty Ltd for Financial Year 2004, are included as Attachment A.

2.2 The Chair asked GSL upon notice:

What was GSL's operating profit last year.

GSL - The answer to the Honourable Senator's question is as follows:

The operating loss for the Detention Services contract for Financial Year 2004 (excluding out of scope operations) was:

Net loss before tax (\$277,726)

2.3 The Committee asked GSL upon notice:

(1) Will GSL provide a Profit and Loss breakdown table (a) for each detention facility; and (b) for removal services that GSL has performed for DIMIA since GSL was engaged by DIMIA.

GSL - The answer to the Honourable Senators' question is as follows:

(1) (a) Profit and loss breakdown (before tax) for each detention facility since GSL was engaged by DIMIA is as follows:

Centre ²	NET PROFIT BEFORE TAX ¹		
	2003	2004 ³	2005 ⁴
Villawood IDC	\$0	(\$1,852,159)	(\$839,298)
Maribyrnong IDC	(\$13,198)	\$157,844	(\$235,403)
Baxter IDF ⁵	(\$267)	(\$161,042)	\$2,966,494
Perth IDC ⁶	(\$39,042)	\$159,069	\$920,897
Port Hedland IRPC ⁷	\$58,356	\$1,418,563	\$0
	\$5,849	(\$277,726)	\$2,812,690

Table 2.1 Net profit before tax breakdown for detention facilities excluding out of scope operations 2003-05

¹ Excludes out of scope operations

² GSL has been paid for services in respect of Christmas Island IRPC on both an inscope and out-of-scope basis.

³ 2004 figures have been restated in line with the new International Financial Reporting Standards

⁴ 2005 financial data is subject to audit by PricewaterhouseCoopers

⁵ Includes Port Augusta RHP

⁶ 2005 figures include a movement fee relating to the detention of Indonesian fishermen (Operation Clearwater II), and a workers' compensation premium refund relating to 2004

⁷ Includes Port Hedland RHP

(b) The information requested in respect of removals cannot be extracted from GSL accounts and is not available. Income derived from international escorts is not accounted for separately in management accounts.

2.4 Senator Ludwig asked GSL upon notice:

What is the number of subcontractors to GSL Australia, their value and the nature of the services provided.

GSL - The answer to the Honourable Senator's question is as follows:

This information is commercially sensitive and confidential and is not provided.

2.5 Senator Ludwig asked GSL upon notice:

What is the value of each out-of-scope contract and the nature of the service or work provided.

GSL - The answer to the Honourable Senator's question is as follows:

GSL has provided numerous out-of-scope services to DIMIA as follows:

OUT OF SCOPE SERVICES PROVIDED [INCOME]				
Out of scope service	2003	2004	2005	Service
Villawood IDC OOS operations	-	189,670	2,540,680	Removal of razor-wire security and separation detention
Maribyrnong IDC OOS operations	-	-	156,770	Separation detention
Baxter IDF OOS operations	-	1,221,683	2,800,359	4 bed medical unit/separation detention/ static guarding at Glenside hospital
Perth IDC OOS operations	-	-	1,216,610	Special needs detainee/Indonesian fishers operation
Port Hedland IRPC	-	-	701,135	Mothballed maintenance service
Queensland	-	-	1,689,114	Transport and Escort Operation
Adelaide Annex	-	1,469,648	410,881	Detention services
Christmas Island IRPC	299,774	5,278,759	4,319,829	Detention services
Darwin DF	-	-	522,360	Detention services
	\$ 299,774	\$ 8,159,760	\$ 14,357,738	

Table 2.2 Out of scope services

2.6 Senator Ludwig asked GSL upon notice:

- (1) (a) Since the Palmer and Comrie reports, has DIMIA approached GSL with additional requirements that have necessitated GSL (Australia) to request a variation in the contract for the purposes of claiming additional reimbursements for additional work; and (b) if so, what are the details.

GSL - The answer to the Honourable Senator's question is as follows:

- (1) GSL has responded to a number of recommendations and initiatives by DIMIA following the Palmer Inquiry. Certain program initiatives have either been developed, or are in the process of being developed, and their introduction remains the subject of ongoing discussion with DIMIA.

3. CORPORATE ISSUES

3.1 The Chair asked GSL upon notice:

What other subsidiaries does GSL (Australia's) parent company have.

GSL - The answer to the Honourable Senator's question is as follows:

Subsidiaries of Global Solutions Limited are listed in Attachment B.

4. OPERATIONAL ISSUES

4.1 Senator Nettle asked GSL upon notice:

With regard to an incident in which a GSL officer was present in a hospital theatre when a detainee was giving birth:

Who made the risk assessment that it was necessary for a detention officer to be present in the hospital operating theatre during the birth of a baby to a detainee by caesarean section;

GSL - The answer to the Honourable Senator's question is as follows:

- (1) GSL.

4.2 The Chair asked GSL upon notice:

With regard to the same incident:

Why was the decision not made to put more staff outside the theatre doors and to afford that couple some privacy.

GSL - The answer to the Honourable Senator's question is as follows:

The female detainee giving birth was not considered to be a flight risk, but her husband, who was in the operating theatre, was considered to present such a risk. The operating theatre had three exits and there were two escort staff on duty, considered to be the appropriate number to manage these two detainees. A female officer stood unobtrusively inside the theatre and no objections were raised by theatre staff or by the two detainees.

4.3 Senator Ludwig asked GSL upon notice:

In relation to meaningful activity and merit points:

- (1) How does the merit system work.
- (2) (a) Is there a maximum/minimum number of hours per day/week/month that a detainee is allowed to work; (b) how is it monitored; (c) are the detainees used as substitutes for staff of GSL; (d) is there a ratio of GSL staff to supervise the activities of detainees; and (e) what is the range of activities that detainees can perform under the merit system.
- (3) Does GSL report to DIMIA the number of hours a detainee performs work or activities and/or the number of merit points received by detainees.
- (4) (a) What is the range of products available to purchase with merit points; (b) what value is attached to these articles; and (c) How is the value of each product determined.
- (5) What is the total number of merit points awarded per week/month/year per detainee.

GSL - The answer to the Honourable Senator's question is as follows:

(1) Operational Procedure 2.7 *Meaningful Activity Merit Point System* describes the program and its application. It is attached as Appendix C.

(2) (a) Available hours per meaningful activity vary from centre to centre. In general, detainees do not engage in meaningful activities for more than three or four hours per day. Many detainees opt to carry out an activity on most days when it is available to them. Some elect not to be involved at all, as is their right. (b) A senior officer at each centre is responsible for the management and co-ordination of the program. It is this officer's role to monitor all activities and ensure that detainees who volunteer are capable of performing them. If necessary, appropriate training is offered to detainees. (c) No. (d) No. The level of detainee involvement is determined by the scope of the activity, which in turn directly determines the level of supervision necessary. (e) The following list, while not exhaustive and not available at all centres, details the range of activities available:

- Kitchen helper
- Mess cleaner
- Food server
- Laundry cleaner
- Recreation room cleaner
- Gardener
- Detainee Delegate
- Detainee Food Delegate
- Vehicle cleaner
- Gymnasium assistant
- Library/Computer assistant
- Peer Support (detainee assistance)
- Library assistant
- Newspaper delivery
- Laundry cleaner
- Visits Centre cleaner
- Maintenance assistant
- Canteen assistant
- Stores assistant
- Barber
- Tailor
- Administration Area cleaner.

(3) All this information is available to DIMIA and the meaningful activity and merit points program is regularly monitored and audited.

(4) (a) A list of products and prices in the Baxter canteen at 21 December 2005 is attached as Appendix D and some products are more expensive in Port Augusta than Sydney or Melbourne. Prices can fluctuate over time and between centres, but with the exception of Perth IDC, the prices of items at the mainland facilities is quite consistent. Perth IDC, because of its small size, is able to provide a more personalised shopping service for detainees and they submit individual buy-lists each week. (b) See previous answer. (c) GSL normally applies a mark-up of between two and five per cent on the purchase price of items sold in the canteens, which makes a nominal contribution to stock write-off and wastage, but does not cover the cost of administering the program.

(5) A summary of merit points applied at each centre, to 1 December 2005, is attached as Appendix E. It is not feasible to extrapolate from these figures individual merit points awarded. Most detainees receive merit points, but some do not.

4.4 Senator Nettle asked GSL upon notice:

In regard to meaningful activity and the merit points system:

(1) Why is there a change of terminology between two documents provided to the Committee at Villawood, one titled *Detainee Working List* and describing type of work, total hours worked and the amounts to be paid by facilities; and the other titled *Facilities Stage 2* which no longer refers to 'work'. It is called an activity and refers to types of activity, total hours of activity and detainee activities.

(2) Are detainees who are engaged in meaningful activity supervised by GSL, GSL's subcontractors, or DIMIA.

(3) Is there anything in the contract which stipulates the number of staff that GSL needs to ensure that it is providing a particular service.

(4) Is there anything in the contract which stipulates that GSL must have enough, or a particular number of, paid staff working on a particular service, e.g. in the kitchens.

(5) What are GSL's responsibilities for supervising people doing meaningful activities. What safety equipment does GSL have for supervision, for example if there are sharp knives in the kitchens.

GSL - The answer to the Honourable Senator's question is as follows:

(1) GSL has not been provided with a copy of the documents referred to and is therefore unable to respond.

(2) GSL supervises all meaningful activities. The level and degree of supervision varies from centre to centre and is based on security assessments. DIMIA staff have no role in supervision and GSL's partners (the specialist service providers) have no direct responsibility for supervision, although they may direct and guide detainees in meaningful activities.

(3) No. The Detention Services Contract does not specify staffing numbers and GSL deploys resources according to service need, which is determined by the Immigration Detention Standards.

(4) No.

(5) All equipment used by detainees engaging in meaningful activity in the kitchens conforms to applicable Australian Safety Standards. All those who use the equipment, including both staff and detainees, are trained in its use. All tools and equipment are accounted for and all applicable safety measures apply.

4.5 The Committee asked GSL upon notice:

In regard to meaningful activity and the merit points system:

(1) Why is the work in which detainees are engaged in the detention centres not classified as 'work' by GSL.

(6) (a) Are detainees able to get phone cards, tobacco, or soda drinks without merit points. (b) If so, how does this take place.

(7) Why are detainees only paid one point per hour. Why are they not paid a wage that equates to similar work in the community.

(8) Is it illegal for unlawful non-citizens to work under the Migration Act in detention.

(9) Will GSL provide a table of detainee "activities" in each detention centre, the amount of points per hour for each activity, the amount of hours worked in each position

(10) How many paid cooking staff work in the kitchen at Villawood per shift. How many detainees work/assist in the kitchen on each shift. How many meals does the kitchen provide for each shift.

(11) (a) Is there a review of the merit points allocated for detainee activities at Villawood IDC. (b) Is GSL looking to save on the points system. (c) Will some detainees receive less points for the same tasks/activities.

(12) Who provides the detainees with supervision, while performing work activities. Are they responsible to GSL or individual contractors, or all three

(13) Who decides who gets to do what work and when.

(14) Are detainees able to redeem merit points for cash at the end of their detention.

(15) Can detainees purchase items from detention centre canteens with cash, or only with points.

(16) Why were the words 'Total Hours Worked' replaced by 'Total Hours of Activity', and the words 'Amount to be Paid by Facilities' replaced by 'Amount to be Rewarded by Facilities' and the title 'Detainee Working List' replaced by 'Detainee Activities' on the GSL detainee pay slip between 11.09.05 and 26.09.05? Was this because of adverse media attention or pending litigation?

GSL - The answer to the Honourable Senators' question is as follows:

(1) The Detention Services Contract, at section 10.1.24 of Part 10 (Education and other Activities) states, "Detainees aged 15 and over are to be encouraged to engage in useful and meaningful activities in order to contribute to the care of themselves and of the detainee community. These voluntary activity programs – such as gardening, preparing meals, cleaning, assisting with education programs, running activities for children and adults, or helping in the detainee shop – give detainees some control over aspects of their daily life

while in detention, contribute positively to detainees' morale and self-esteem, and ensure detainees have access to constructive activities to help pass their time in detention. No detainee is to be compelled to participate in any such activities: participation must be entirely voluntary. Nor should the Service Provider assume that all such activities will be undertaken by detainees or that no supervision will be necessary."

Section 10.1.25 further states, "Detainees who are so engaged have access to 'merit' points which may then be exchanged for such things as personal items additional to those freely available in the facilities, or for telephone cards. These points are not be considered a fee or salary..."

GSL has consistently complied with these contractual requirements. Most detainees welcome the opportunity to participate. There is no compulsion. The detainees involved in meaningful activity are never used as – and certainly are not – a source of cheap labour for GSL. While meaningful activity, by definition, involves some activity, effort and input on the part of the detainees, they do not 'work' if the word is used as a synonym for working in return for wages or a salary. It is GSL's opinion that the inadequacy of the English language should not be used as an opportunity to attach completely false implications to what is a worthwhile opportunity for detainees to participate in useful and meaningful activity that relieves the tedium of detention, and provides them with an opportunity to contribute to their own welfare.

It is appropriate, fair and expected by the detainees that they will receive some small reward for their efforts, and they receive points for each hour they work, which can be exchanged for goods in the canteen, or for phone cards. Only at Baxter do all detainees receive 56 points, regardless of their activity, principally because this was a practice introduced by the previous operator and it was considered unfair, and likely to cause unrest in the facility, if the privilege was withdrawn.

GSL and DIMIA are currently reviewing the meaningful activity and merit point program to eliminate the issues that attract justified criticism, for example inconsistency in the way the program operates at different facilities and the number of merit points that detainees receive. Detainees at the smaller centres, Maribyrnong and Perth, for example, unavoidably have fewer opportunities for meaningful activity than those in the larger centres, Baxter and Villawood.

(2) (a) Yes. (b) Detainees can use their own cash or money sent to them by family or friends. GSL also applies an assessment system to ensure that every detainee is able to access the telephone and is provided with other items necessary to ensure an adequate level of comfort and amenity.

(3) Some detainees currently receive one point per hour, some receive more. Merit points are not a wage or salary for work performed. They are a modest reward in recognition of their efforts and an incentive to detainees to participate.

(4) No detainees work in any detention centre. It is not appropriate for GSL to comment on Commonwealth legislation.

(5) This information is not held and would require an inordinate amount of research to obtain. The answer to Senator Ludwig's question on page 5 sets out the range of activities that are available to detainees.

(6) GSL's specialist food services provider, DNCA, has three staff engaged at any one time in food provision at Villawood. A total of four chefs are employed as well as several other staff who assist in distribution, cleaning and maintenance. Up to 16 detainees are engaged in assisting with food preparation and supporting service functions. DNCA advise that in an equivalent commercial operation, the staff numbers they employ at Villawood would provide the entire catering service. The detainee population of Villawood has fluctuated between 370 and 270 in recent months and the number on any particular day equates to the number of meals served.

(7) (a) GSL is currently carrying out a review of the meaningful activities program at Villawood. (b) That is not the purpose of the review. (c) No.

(8) This question is answered in the answer to Senator Nettle on page 5.

(9) At each site, a designated senior staff member has responsibility for managing and co-ordinating the meaningful activities program. The extent to which meaningful activities are available to detainees varies considerably from centre to centre, depending among other factors on the size of the facility, the population and the site lay-out.

(10) Yes.

(11) Detainees can purchase items from the canteen for cash. This question is answered in more detail in the answer to Senator Nettle on page 5.

(12) This question is answered in the answer to Senator Nettle on page 5. GSL has not been provided with a copy of the documents referred to and is therefore unable to respond.

4.6 The Committee asked GSL upon notice:

- (a) Will GSL detail expenses involved in maintaining mothballed detention centres. (b) What does mothballing require. (c) Will GSL provide a breakdown of the costs for each mothballed centre.

GSL - The answer to the Honourable Senators' question is as follows:

- (a) and (c) GSL is responsible for the mothballing maintenance of one facility, Port Hedland IRPC in Western Australia, which was mothballed in June 2004. A breakdown of the approximate monthly costs involved is:

Expense	\$
Labour	37,188
TFS maintenance fee	13,781
Other operating costs	1,133
Overheads	871
Total	52,973

Table 4.1 Port Hedland mothballing: monthly costs

(b) Mothballing requires the facility to be maintained to enable it to be rolled out at short notice if required. This includes ongoing maintenance work, 24-hour security to protect the asset and regular reporting to DIMIA. Staff are employed locally.

4.7 The Committee asked GSL upon notice:

1. Has GSL received legal advice on whether the management unit of Baxter IDF and the use of the unit amounts to punishment or abuse and whether GSL would have any liability for compensation claims. If so what was that advice.

2. (a) Does the behaviour plan for the Red One compound at Baxter amount to a 'reward and punishment' plan, rewarding good behaviour and punishing bad behaviour; (b) what was DIMIA's involvement in developing the behaviour plan; (c) have you sought advice from psychiatric experts on the impact of the behaviour plan on mentally ill or other vulnerable people; (d) if so, what was this advice and if not, why not; and (e) does GSL consider that this plan was appropriate for managing detainees with a mental illness such as Cornelia Rau and if so on what advice, and for what reasons.

GSL - The answer to the Honourable Senators' question is as follows:

1. No.
2. (a) No. (b) This question can most appropriately be answered by DIMIA. (c) GSL and its partners have been actively involved in the Health Subcommittee established by DIMIA. The terms of reference for the meetings of the sub-committee have included the discussion and resolution of management approaches to high need and sensitive health cases. (d) Of significance has been the input of consultant Professor Harvey Whiteford who has been engaged by DIMIA. Professor Whiteford has developed a service delivery flow chart that captures required minimum workplace practices to ensure that all persons in detention receive ongoing mental health screening assessments. These workplace practices promote the appropriate identification and intervention of detainees with mental health presentations or vulnerable personalities that may precipitate a mental health presentation. Early intervention and/or ongoing mental health interventions, including the provision of clinical pathways for these detainees, are then routinely provided. (e) GSL and our health care and psychological services providers do not support behavioural management intervention for those persons assessed as requiring mental health intervention. This operating philosophy underpins the Enhanced Integrated Mental Health Service (EIMHS) that has been implemented at Baxter IDF. Specifically, the EIMHS is a service delivery model that encompasses initial and ongoing standardised screening for mental health presentations. Matching appropriate interventions with a person's assessed needs, such as developing a Mental Health Care Plan, has become standard practice.

5. STAFFING AND TRAINING

5.1 The Committee asked GSL upon notice:

- (1) Will GSL provide details of annual staff turnover in the immigration detention area since taking over from ACM.
- (2) How many GSL employees in the immigration field have been disciplined or dismissed for inappropriate behaviour towards detainees.

GSL - The answer to the Honourable Senators' question is as follows:

- (1) Full time staff turnover rates since takeover from ACM:

2003	3.4%
2004	32.5%
2005	20.9%

Notes: (i) Full-time staff turnover rate = Full-time staff terminations / number of year-end full-time staff.

(ii) 2004 terminations were directly affected by the mothballing of Port Hedland IRPC.

- (2) One employee has been dismissed and seven have been disciplined for inappropriate behaviour towards detainees.

5.2 The Committee asked GSL upon notice:

- (1) (a) Will GSL outline the training that GSL employees must undergo before they commence duty at an immigration detention centre.
- (2) (a) Are GSL staff transferred between GSL prison operations and immigration detention centres and if so, how many; and (b) what training do they receive upon transfer.

GSL - The answer to the Honourable Senators' question is as follows:

(1) (a) All newly appointed Detention Services Officers must undertake an Initial Training Course of 240 hours duration, usually over six weeks. Subjects included in the Initial Training Course are:

- Introduction to GSL
- Equal opportunity
- GSL Operating Philosophy
- The Role of the DSO
- Duty of Care and its meaning
- Code of Conduct
- Survivors of Torture and Trauma (STTARS: Survivors of Torture and Trauma Assistance and Rehabilitation Services)
- Health and Safety Responsibilities
- Quality Assurance
- Contract monitoring and compliance
- Immigration Detention Standards
- The Lawfulness of Detention (Migration Act)
- Immigration detention framework
- Roles of GSL and DIMIA
- On-site monitors
- Immigration Detention Advisory Group (IDAG)
- Other stakeholders
- International Conventions and Treaties
- Authorities and Statutory bodies
- The detention environment
- Race relations and cultural awareness
- Understanding cultures
- Dealing with diversity
- Communication
- Race relations and cultural awareness
- Maintaining control while respecting beliefs
- Management of visits and control of entry: ad hoc and social visits
- Normal and command operating modes
- Mail and telephone procedure
- External escorts
- Security and security awareness
- Welfare checks and identification
- Security checks – tools, equipment, vehicles
- Identifying threats to security
- Patrols and supervision
- Security procedures – control and use of keys
- Intelligence
- Interpersonal skills
- Conflict management
- Searching
- Radio procedures
- Control of evidence
- Instruments of restraint
- Critical incident debriefing
- Report writing
- Logs and record-keeping
- Management of special needs detainees; children; and unaccompanied minors
- Case notes
- Use of force
- Control and restraint

- Use of baton formations
- Fire training
- First aid
- Mandated Notifying
- Induction and orientation procedure
- Risk assessment
- Separation detention
- Accommodation allocation procedure
- Personal and stored property
- Room clearances
- Australian Red Cross
- Health services and care
- Detainee meaningful activities
- Shop/monies
- Religious services
- Education activities
- Interpreter and translation services
- Complaints procedure
- Management of anti-social behaviour
- Legal requirements
- Food services
- Discharge legal requirements
- South Australian Police
- Documentation
- Residential Housing Project, Port Augusta
- Emergency Operational Procedures
- Operational Procedures
- Post Orders
- ISIS
- Role familiarisation and observation: Activities, Residential Housing Project
- Role familiarisation and observation: Gatehouse
- Role familiarisation and observation: Reception Centre
- Role familiarisation and observation: Property Rover
- Role familiarisation and observation: Duty Operations Coordinator and Transport and Escort
- Role familiarisation and observation: Medical/Kitchen compounds

All employees must undergo regular refresher training and under the terms of its Certified Agreement, GSL is obligated to provide staff with a specific number of training days each year. GSL's subcontracted staff are required to undertake training specific to the detention environment. Until all staff complete their training, they are not permitted to move around a facility unescorted.

(2) (a) No. (b) Not applicable.

6. EDUCATION

6.1 The Committee asked GSL upon notice:

1. (a) What are the educational qualifications of teachers in the immigration detention centres; and (b) how was the curriculum used in detention centres developed.

GSL - The answer to the Honourable Senators' question is as follows:

1. (a) Baxter IDF: Education and Programs Manager – BA (Qualified Teacher Status), BA (Hons); ESL Teacher (1) – Bachelor of Education, ESL in the mainstream; ESL Teacher (2) – Certificate of Education (Singapore), Diploma of Primary Teaching, Bachelor of

Education; ESL Teacher (3) – B.Sc, Dip.Ed. Music Teacher – Bachelor of Music (EDUC), Assoc. Dip. Music (Piano); in addition, 13 Detention Services Officers (Program Rovers and a Program Supervisor) are assigned to the Programs team for activities including recreational activities on site and off-site escorts. Maribyrnong IDC: Education Officer – BA, Master of Applied Linguistics (TESOL) (Macquarie University), Diploma of Teaching; Programs Officer – BA (Recreation Management); Fitness Leadership Course (Core Unit) (RMIT). Villawood IDC: Education Officer (1) – BA, Dip.Ed., Grad.Dip. TESOL, M.Ed; Education Officer (2) – B.Ed., Masters, Language Program Management, Grad. Cert. TESOL, Associate Dip. Arts, Dip.Teaching, Cert IV Workplace Training and Assessment; Education Officer (3) – BA (Sociology), Post Grad Cert TESOL, Grad Cert Adult Education in Training, Certificate IV Workplace Training and Assessment. Perth: Education Officer – B Ed, BA, TESOL Certificate; Recreation Officer – Certificate in Physical and Personal Training. (b) There are currently no children being educated in any detention facility. The curricula were developed to meet the requirements of the relevant State Education Departments, taking into consideration the additional need of many children in detention to first learn English; and the fact that a considerable number of children, particularly girls, had never attended school at all. Almost all children, when children were being held in detention facilities, went out of the facility to attend a State school. Only one child at Baxter, for example, under GSL's management, refused to attend an outside school and was tutored on site. When attending a public school, the children's curricula were the same as for the other schoolchildren, when necessary augmented by additional instruction in English as a second language. All GSL teachers are registered in the State in which they work.

7. DETENTION SERVICES CONTRACT

7.1 The Committee asked GSL upon notice:

In regard to a comment in the Managing Director's opening statement that there were too many Immigration Detention Standards:

Which Immigration Detention Standards does GSL believe should be deleted.

GSL - The answer to the Honourable Senators' question is as follows:

The issue of Immigration Detention Standards is the subject of a comprehensive review by DIMIA of the Detention Services Contract that is currently under way. GSL is participating closely in that review and it is not appropriate for the company to pre-empt its conclusions.

7.2 The Committee asked GSL upon notice:

(1) Will GSL provide a list of the times, reasons and financial penalties imposed when GSL has breached/been sanctioned as per the contract.

(2) Does GSL have any concerns about the long-term profitability of the detention contract if the overall detainee population declines.

GSL - The answer to the Honourable Senators' question is as follows:

(1) Details of financial penalties imposed for breaches of the Immigration Detention Standards (IDS) are commercial-in-confidence. Sanctions imposed by DIMIA for the June 2005 quarter are the subject of a formal dispute: sanctions imposed for the September 2005 quarter have not been finalised: sanctions imposed for the December 2005 quarter had not been received by GSL at the time of writing. Details of breaches for which GSL was sanctioned in the quarters prior to the June 2005 quarter (excluding details of financial

sanctions imposed) are shown in Table 7.1, by quarter (i.e. the times) and by the IDS breached (i.e. the reasons):

Quarter	IDS breached
March 2004	1.4.1.1; 2.2.2.1 (a); 6.1.3 (a); 9.1.3 (b).
June 2004	2.3.1 (b); 4.4.2 (a); 6.1.3; 9.1.3 (2); 9.1.4 (a).
September 2004	1.4.1.1; 2.1.2.3 (b); 2.1.2.5 (b) (2); 2.2.1.1.1; 2.2.1.3.2 (2); 2.2.1.3.5 (a) and (b); 2.2.1.5.2; 2.2.1.5.2 (a); 2.2.2.1 (a); 2.2.3.2.1 (a); 6.1.2 (d); 9.1.3 (b) (2); 9.1.4 (b).
December 2004	2.1.2.3 (b); 2.2.2.1; 6.1.1 (a); 6.1.1 (b); 6.1.3; 6.4.7 (a); 6.5.1 (b); 6.6.1 (a); 6.8.2 (a) (2); 7.1.2 (a); 9.1.4 (b) (4).
March 2005	2.1.2.1 (b); 2.1.2.2 (2); 2.2.1.5.1 (a) and (b); 2.2.3.1.1 (b); 2.3.1 (b) (2); 4.4.1 (a); 6.1.3 (b); 7.1.6 (b).

Table 7.1: Quarterly Performance Linked Fee assessments: sanctions imposed

(2) GSL has a contract with the Commonwealth for the management of detention facilities. It would be inappropriate to make any comment regarding that contract.

8. ALLEGATION OF SEXUAL ABUSE

8.1 The Committee asked GSL upon notice:

With regard to information received by the Committee that two people have complained to the Ombudsman and HREOC about a sexual assault by guards at Baxter IDF in December 2004:

(1) (a) Has this alleged incident been investigated by GSL; (b) If so what was the result and if not, why not; (c) Are the officers involved still working with detainees.

GSL - The answer to the Honourable Senators' question is as follows:

(1) (a) Yes. (b) and (c) The matter is currently under investigation by the South Australian Police and it is therefore not appropriate for GSL to make any comment.