

This report on the Riot Incident in Blue 2 Compound at Baxter IDF on Friday 22 July 2005 is presented also as a submission to the Senate Enquiry.

It is written by myself
Jane Keogh, Brigidine Sister, Refugee Advocate and member of the Canberra Refugee Action Committee.

I have been working for Baxter detainees for over three years now and have visited Baxter 96 times and have regular contact with persons inside and many who are now outside in community.

No doubt there will be an official report on this incident and I would ask that the Senate Committee might ask for and compare the final official version and its findings with this version and evaluation made by one sincere mature detainee who was present.

Thankyou
Jane Keogh
Hackett, ACT

26 July 2005

A Report on the Food Incident and Riot Blue 2 Compound, BAXTER IDF, Friday 22 July 2005

Written by Jane Keogh from a forty minute phone interview with one of the asylum seekers who had been invited by the GSL officer on duty at the time to be a spokesperson for the detainees during the whole incident. The report is written from notes taken during the interview on the evening of Monday 25 July between AA in Red 1 Compound and Jane Keogh. Although the report was written immediately after the interview there could be minor inaccuracies because of the impossibility of taking down everything in full while participating in an interview. (In other words I could not always decipher my notes and had to rely on memory).

The person interviewed, called "AA" for this report, has given permission for his name to be used but this is withheld at this time and can be supplied to appropriate authorities on request. The names of other detainees mentioned are also withheld as their permission has not been sought for release of information at this time. AA also gave permission for this report to be written and circulated.

Alphabet letters and not names are used when referring to specific detainees.

While it is acknowledged that there may be as many versions of what happened as there were participants in any event the interviewee in this case is known and respected by his many friends outside who have known him over time to be a mature, truthful, calm, responsible person who would give an accurate account of his observations as a participant.

Jane Keogh

Background to the Incident

Previous Incidents re Food at Evening Meal in Blue 2 Compound

AA reports:

There have been two or three times over the past few months when the food has been judged as unsatisfactory by detainees and complaints have been made and responded to at the time.

All have been at evening meal time and this is the most important meal as for many detainees this is the only meal they come for each day. Having good quality food at this time is important for the health of the detainees.

As a response to earlier complaints the following routine has been established: The GSL officer on duty asks the persons who are to serve the food to check it. If the food is judged to be unsatisfactory the kitchen is informed. Many people here are very sick and not able to control their tempers and if the situation is agreed it is bad and nothing is done everyone knows these people cannot accept this. They are hungry and they need some quality in their food. Many people do not have any other meal except at night and they are hungry.

If it is agreed some change is necessary a change is made and some adjustments are made in what is provided. Everyone knows if the situation is not solved the detainees will not accept it.

Question: Can you give me an example of one of the earlier times when the situation was bad and it was resolved before people lost their tempers?

Answer: A quite recent incident happened on the night before the Opposition Minister was to visit. The food was judged to be unsatisfactory and complaints were made. Negotiations took place and eventually after two hours pizza and chicken was brought in from outside for the meal. This is the only time this happened and everyone was very happy with this. Other times the substituted food is not so good but it has been acceptable.

Evening 22 July

1. Food is judged to be not fit for consumption

AA Reports:

When the dinner was ready the officer, Mr C (think this is his given name not surname), told the persons serving the food to check it. The servers said it was not satisfactory. The officer told them to inform the kitchen.

When the food was served it was apparent to everyone that the food had not been checked. The chicken was too greasy and it smelt.

We asked Mr C "Why has the food not been checked?". Everyone knew that the detainees would not accept this food. We have had this situation before and we often wait for hours before it is resolved. Mr C knew the situation had to be resolved. The food is often bad and we cannot eat it. The officers say sometimes the food for them is also bad.

Mr C came to us and said "I need two people to talk to the Delta officer" Because many people who used to speak for us have now left I myself and BB said yes, we would do this. We did not offer ourselves we were asked to do it. We went to the Blue chairs with Mr C and sat there waiting about five minutes for the Delta officer.

2. Delta Officer does not diffuse the situation.

The Delta officer was called M [REDACTED].

Question: What is a Delta officer and what can you tell me about M [REDACTED]?

Delta officers are senior to the normal officers. The normal officers were very nice to us. The Delta officers are trying to please DIMIA. They are not trained enough for their job and they do not know their responsibilities. M [REDACTED]'s reputation is that whatever the problem is he cannot solve it. The officers have to ask the Delta officers and the Delta officers do not have the training for their job.

Question: Is M [REDACTED] new?

Answer: No, I think he has been there a long time.

Question: When did the Delta officer come?

There was discussion with us and the officer and the Delta officer. We said the problem is that the food is too oily and smelly and it is not OK to eat.

We waited while there was phoning a few times between Delta and someone outside Blue 2.

M [REDACTED] said "You can drain the oil off but if you don't want to eat it then you can just eat the rice and the salad."

We told him we cannot drain off the oil. The people are starving and only rice and salad is not enough for all day. He said we had to accept this. We said if **you** cannot do anything **you** come and tell them. We all knew what would happen. There are many people and it is about 8.20 by now and they are starving and we know some are very sick and they cannot control their tempers and they will not accept this.

So M [REDACTED] came to tell the people and we all gathered around him and they asked him "What are you doing?" They got upset with him.

Instead of defusing the situation he just said "We cannot provide anything."

The detainees said "You have to provide us with something to eat or we will do something". He knew what they would do but he did nothing.

It is the Delta officer's responsibility to defuse the situation. We all knew what would happen but he could not defuse the situation.

3. The Damage is Done

Question: How many people were there?

Answer: About 70. Some were inside and some were outside waiting. Then some were in their rooms.

Question: What happened next?

There are a few who are mentally ill and they just started to break stuff. They broke all the stuff.

Question: What did they do exactly?

They threw chairs. They broke the lights. They broke the TV and the fridge and the server.

Question: How many people were doing this?

Answer: Maybe about 10 to 15 were there inside.

Question: Where were you and did you get involved?

Answer: BB and I went outside looking inside. BB and I, we did not do anything. We just watched. There was nothing we could do.

Question: How many were outside with you?

Answer: About 20 or 30 I think. Then you could not be inside because everything was broken. Then they came outside and broke the windows.

Question: How many people actually did all the damage?

Answer: I think about seven or eight.

Question: Was DD breaking things? (Jane asked about a person who she knows is very depressed and traumatized by detention and already had a very stressful day on Friday)

Answer: Yes, he cannot control himself; he is very sick in his mind and in temper and he was banging the door. His picture will be in the video.

Question: How did it stop?

Answer: Everything was broken and no one could be inside.

4. Lady Manager and maintenance employee make contributions:

AA did not know the names of these persons.

Question: Who else was there- what other DIMIA or GSL officers came?

Answer: A lady Manager who was off duty came. She was off duty and she was not in uniform and her boy friend came too.

Question: Her boyfriend?

Answer: Yes, she has a boyfriend who is acting as a Maintenance person. He came with her and he was not in uniform. They had been drinking. He was totally drunk. And with them came about three other officers who were in uniform.

Question: Did this happen while the breaking was going on?

Answer: No, when it was finished.

Question: How could you tell the lady manager had been drinking?

Answer: You could tell by the way they were and by their talk.

Question: Do you mean she slurred her words?

Answer: Yes she was slurring her words.

Question: What did she do when she came?

Answer: She talked seriously to us- to all of us. She listened to us. She said "Why are you doing this? You did too much." We said "You know why this happened." She said: "Please clean up and I will try to get you some food."

Question: Why didn't the Delta officer do this earlier if this had been previous practice ?

Answer: Because he knew this would happen. He could have defused the situation and given some alternative food.

Question: What were the detainees doing at this time?

Answer: Some were shouting. Then the Maintenance person left his girlfriend and went to the Indian detainee and he said "Do you want to fight with me?" and he was drunk and we thought he would hit the Indian boy and we moved over to the Indian boy to protect him.

Question: How many of you moved over to the boy?

Answer: About a 5 or 6 of us.

Question: How close was the Maintenance man to the boy?

Answer: He was up close, face to face.

Question: Did he hit him?

Answer: No, but the boy was frightened.

5. D [REDACTED] and Police Arrive

(D [REDACTED] position in Baxter was not clarified during the interview)

Question: What happened next?

Answer: D [REDACTED] came after about 45 minutes.

Question: How long did all the breaking last?

Answer: about 15 or 20 minutes I think.

Question: What did D [REDACTED] do?

Answer: He came with police. They had cameras. He checked what happened. He talked to them.

Question: Who did he talk to? To the detainees?

Answer: No, he talked to Delta

Question: What did the police do?

Answer: It looked as if the police were 100% in support of DIMIA.

Question: Was anyone charged? Were you and BB charged or did anyone question you before you were taken to Red 1?

Answer: No. No one was charged. The police did not talk to anyone of the detainees. I was not questioned by anyone before I was put in Red 1.

6. After Midnight Alternative Food is provided and rejected

Question: What time did all this finish?

Answer: It was very late. We were starving. They brought new food to us but it was from the freezer and it was bad too and only a few ate it. It was about 1.30am when some went to our rooms.

Question: Did they bring the food to you in your rooms?

Answer: No it was in a box and you had to go to the office to get it.

7. Persons Singled Out and Moved to Punishment Unit, Red 1.

Question: How many people are in Red 1 now?

Answer: 11 now. FF was here but then he was taken to Glenside Psychiatric hospital. There are two sides in Red 1. We are five here. And six on the other side.

Question: Are all the people who broke things now in Red 1?

Answer: No, the people who broke the XX are now in White 1 or White 2. EE who is here was invited to go to the other compound but he refused and he is here.

Question: How many people who are in Red 1 now broke things?

Answer: Not BB or CC or me- we did not do anything.

Question: Then why are you in Red 1? How were you singled out?

Answer: I think D [redacted] went to people's rooms and invited some to go to other compounds. They wanted to divide us I think. We did not know what was happening. Two people were moved in the night.

Question: Why were you and BB put in Red 1 if you did not do anything?

Answer: They said we were the instigators.

Question: You were doing the talking to C [redacted] and to D [redacted] - did you get angry with them or shout at them?

Answer: You know Jane, you know me I would not tell you a lie. I am calm and I argued for the situation for the detainees. They used us. They needed BB and me to be the delegates. We did not volunteer to talk for the detainees- we were invited to. Even Mr C [redacted] was surprised when he came to Red 1 and saw I am here. He knows we did not do anything. He is a nice officer. The officers are nice to us. The Management is the problem, not the officers. The Management do not know their responsibilities.

Question: When were you yourself moved to Red 1?

Answer: About 6pm the next day.

8. Red 1 Experience

Question: Tell me what it was like to be moved to Red 1.

Answer: At 6pm Saturday they told me to pack up my things and take them to the office. They are in the office now. Then they gave me bedding- a blanket, a pillow and a towel and tooth brush and toothpaste. And the bedding was rotten and smelly.

Question: What do you mean- rotten and smelly?

Answer: Well, they just got it out of the cupboard and they did not check it and when you leave something in a cupboard a long time it gets damp. So it was wet and it was smelly and it had green stuff on it. And it is scary going into the room.

Question: Scary?

Answer: Yes, I was frightened. You are locked in the room and the door closes and the doors and windows are so strong. If you saw the room you would be afraid too. You cannot talk or hear any voice and you don't know what will happen next.

Question: How long were you locked in?

Answer: Until about 9am in the morning.

Question: What happened when you were let out. Where could you go?

Answer: We could go out onto the grass and we could see each other. On Sunday night the rooms were not locked. And they told us they are going to see us Monday and tell us the rule and what will happen. And we will have to sign something. I asked them if I could get my computer as I want to work on the computer to do something but they said not today. I asked if I could get it tomorrow and they said maybe. They will ask what

is the rule. It will be different every day. What will happen depends on what we do. The officers are very nice to us and they are treating us nicely. It is the management which is the problem.