

Chapter 2

Administrative arrangements at the Manus Island Regional Processing Centre

2.1 This chapter examines the administrative arrangements that underpin the operation of the Manus Island Regional Processing Centre (RPC), including the role of PNG and Australian officials at the centre and the role of service providers engaged at the centre. Issues raised by submitters and witnesses in relation to service provider training at the centre are also discussed.

2.2 Mr Mark Cormack, a Deputy Secretary at the Department of Immigration and Border Protection (department), provided the committee with an overview of the administrative arrangements in place at the Manus Island RPC:

The centre is managed by an administrator, supported by contracted service providers. Most of the delivery is...contracted out. It is very similar in that sense to Australian detention centres where most of the service delivery is done by contractors. The service providers under the agreement are managed by Australia through a contracting arrangement. The roles are clearly defined. The administrator of PNG's ICSA, the Immigration and Citizenship Service Authority, is responsible for the centre. There is an operational manager who is also an officer of PNG ICSA and controls the day-to-day operations of the centre. Then there is a coordinator who was appointed by the Australian government and assists the operation manager through the provision of reports and information from service providers to manage the various contracts.¹

Role of PNG authorities in relation to the centre

2.3 As noted by the department, the head of PNG ICSA has overall administrative responsibility for the centre, while a PNG operations manager is also employed at the centre.² From the evidence presented to the committee, it does not appear that other PNG government officials play a regular role at the centre, although some PNG staff appear to be involved in refugee status determination interviews, along with Australian departmental staff.

2.4 At the committee's public hearing, the department was questioned how regularly the Administrator of the centre, the PNG Chief Migration Officer, visited the centre on Manus Island. Mr Cormack responded as follows:

I do not know his diary, but he is up there very frequently. He also has his own staff base there. He has the centre manager and another staff member there, plus staff members coming and going; so he would be there simply as

1 *Committee Hansard*, 11 July 2014, p. 26.

2 The PNG operations manager was responsible for addressing transferee representatives at a key meeting on the afternoon of 16 February 2014, which is seen as a key trigger to the subsequent protests that ensued on the evenings of 16 and 17 February (see chapter 5).

the responsible, accountable administrator to make an appropriate and timely assessment—in the same way we had to for our government—for his government.³

2.5 The department declined to provide further information in relation to the frequency of the Chief Migration Officer's visits to the centre, but confirmed that these visits involved meetings with departmental officials and service provider heads to discuss a range of topics in relation to the centre.⁴

Role of PNG police

2.6 Maintenance of law and order at the Manus Island RPC is the responsibility of the PNG police. The local branch of the Royal Papua New Guinea Constabulary based at Lorengau deals with any day-to-day matters inside the centre requiring police involvement, for example investigation of offences, arrests and charging those suspected of committing an offence.⁵

2.7 In addition to the local police force, a PNG police mobile squad was deployed outside the centre in 2012 to protect against external threats to the centre. The service provider G4S explained:

[T]he PNG police mobile squad was deployed in October 2012 to deal with unrest from local land owners demanding greater economic benefits from the Centre for local people. These matters were settled through negotiation within 10 to 14 days, but the police mobile squad continued thereafter to maintain its presence in close proximity to the Centre. G4S raised concerns with the Department about the suitability of the police mobile squad given its propensity to use disproportionate force to maintain order.⁶

2.8 The role the PNG police mobile squad played during the events of 16 to 18 February 2014 are discussed in further detail in chapter 5.

Funding for policing services at the centre

2.9 The Australian Government provides funding to the PNG police force for their operations relating to the Manus Island RPC. The Minister for Immigration and Border Protection explained that PNG authorities determine how that funding is allocated:

[T]he arrangement with the PNG police is that the Australian Government makes a payment to the PNG Police in Port Moresby. The process of who and what force is deployed to Manus Island is a matter for the PNG Police, not the Australian Government and their remittances and other things are

3 Mr Mark Cormack, Department of Immigration and Border Protection, *Committee Hansard*, 11 July 2014, p. 46.

4 Department of Immigration and Border Protection, *Answers to questions taken on notice at public hearing on 11 July 2014, and written questions* (received 15 August 2014), [p. 12].

5 Mr Robert Cornall AO, *Review into the events of 16-18 February 2014 at the Manus Regional Processing Centre*, 23 May 2014, p. 78.

6 *Submission 29*, p. 6.

made by the PNG Police in Port Moresby...[W]here they are deployed and how closely they're deployed, they're matters that are determined under the jurisdiction of the PNG Police.⁷

Contractual arrangements between the department and service providers

2.10 The Australian Government provides capacity building and funding for the Manus Island centre and, by agreement with PNG, coordinates the contract administration process for the provision of services at the centre.⁸ Various providers have entered into contracts with the department, representing the Commonwealth, in order to provide services in the areas of garrison and security services, health and medical services, welfare support, and interpreting services. The contractors engaged by the department and their roles are as follows.

G4S

2.11 Garrison support services (including security) at the centre were contracted in October 2012 to G4S Australia, part of the global G4S group. G4S describes itself as 'the world's leading international security solutions group', with more than 618,000 employees operating in over 120 countries.⁹ G4S outlined its approach to providing garrison services at the Manus Island centre in its submission to the inquiry:

G4S has extensive experience in operating detention facilities and immigration processing facilities, which embodies an approach to treat transferees with dignity and respect and to be responsive to their personal and cultural situations. This is reflected in G4S's management plans and policies and in the training given to security staff at the Centre.

The Site Safety and Security Management Plan for the operation of the [Manus Island] Centre sets out the philosophy for the management of safety and security in the Centre:

'The goal is to provide a safe and secure environment for Transferees, Service Provider Personnel, Department Personnel, and all other people at the Site, ensuring that each individual's human rights, dignity, and well-being are preserved.'¹⁰

2.12 G4S described its responsibilities at the centre as maintenance and operational services consisting of: security services; receiving, inducting and discharging transferees; managing and maintaining assets; cleaning services; environmental

7 The Hon Scott Morrison MP, Minister for Immigration and Border Protection, 'Manus Island incident, Operation Sovereign Borders, joint review', *Press Conference*, 21 February 2014, Canberra, <http://www.minister.immi.gov.au/media/sm/2014/sm212027.htm> (accessed 30 October 2014).

8 Mr Martin Bowles PSM, Secretary, Department of Immigration and Border Protection, *Committee Hansard*, 10 June 2014, p. 2.

9 G4S, *Submission 29*, p. 9.

10 *Submission 29*, p. 9.

management services; catering; logistics; transport and escorting of transferees; and providing access to communication services for transferees.¹¹

Security services

2.13 G4S made the following observations regarding the limitations on its staff in exercising search powers or the use of force in maintaining security at the centre:

In providing security services, G4S was contracted to maintain a secure environment and respond to security incidents in the Centre. G4S was not contracted to, and did not have legal power to, act as a police force, had limited ability to use force in the Centre, and no authority over transferees outside of the Centre environment...G4S's security duties in response to transferee violence were to contain and de-escalate the violence and prevent damage to the Centre. This was to be achieved within the strict limitations contained within PNG law, and in particular, the limitations on search powers and use of force. This differs significantly from the powers afforded to security services providers at on-shore Australian Immigration Detention Centres under the *Migration Act 1958* (Cth), which allows specific use of force and search powers.¹²

The Salvation Army

2.14 The provision of welfare services at the Manus Island RPC was undertaken by the Salvation Army between August 2012 and February 2014. The Salvation Army was also contracted to provide welfare services at the Nauru offshore processing centre for the same time period.¹³

2.15 The Salvation Army had responsibilities at the Manus Island centre in the following areas: providing programs and activities for transferees; facilitating the reception, transfer and discharge of transferees; and overseeing the individual management of transferees within the centre.¹⁴

2.16 In relation to programs and activities for transferees, the Salvation Army was obligated to 'develop, manage and deliver structured and unstructured programs and activities designed to provide educational and recreational opportunities, and provide meaningful activities that will enhance the mental health and wellbeing' of asylum seekers accommodated at the centre.¹⁵

11 *Submission 29*, p. 10.

12 *Submission 29*, p. 10.

13 Ms Sharon Callister, CEO Humanitarian Mission Services, Salvation Army, *Committee Hansard*, 11 June 2014, p. 19.

14 Part 2B (pp 46-54), 'Salvation Army – Contract for provision of services on Regional Processing Countries', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [pp 521-529].

15 Part 2B, Paragraph 3.1.1.a (p. 47), 'Salvation Army – Contract for provision of services on Regional Processing Countries', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [p. 522].

2.17 The programs and activities component of the Salvation Army's contract also required it to:

- ensure transferees were free to practice their religion of choice and provide religious and cultural liaison between transferees and the department and other service providers; and
- stock and manage a canteen shop that transferees could access using accumulated points to trade for items such as personal care products, telephone cards, stamps, writing paper, tobacco and snack food.¹⁶

2.18 The Salvation Army was responsible for the development and implementation of an individual management plan for each transferee accommodated at the centre. This obligation included:

- implementing a centralised transferee records management system for use by all service providers, and ensuring that all relevant information relating to a transferee was recorded in that system to assist with transferee welfare and management of the site;
- assisting and managing access of transferees to communication services, for private use and for use in the preparation of documents relating to transferees' refugee status determination outcome; and
- monitoring the health and behaviour of transferees and referring transferees for medical treatment where necessary.¹⁷

International Health and Medical Services

2.19 International Health and Medical Services (IHMS) is contracted to provide healthcare services to transferees at both the Manus Island and Nauru offshore processing facilities. The services contracted for include: preventive health care; emergency response; general practice health care; mental health screening and care; health education and advice; referral to hospitals; and arranging the transfer of patients to appropriate medical facilities for specialist services and referrals when required.¹⁸

2.20 Regional Medical Director for IHMS, Dr Mark Parrish, explained further to the committee the nature of IHMS's work at the Manus Island centre:

Services are broadly comparable with those available within the Australian community, taking into account the particular health needs of transferees and recognising the unavoidable limitations of the location of Manus Island. We are also responsible for vector control on Manus Island, which means that we are trying to eliminate mosquitoes. We have a

16 Part B, Clauses 3.2-3.3 (p. 48), 'Salvation Army – Contract for provision of services on Regional Processing Countries', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [p. 523].

17 Part 2B, Section 5 (pp 50-53), 'Salvation Army – Contract for provision of services on Regional Processing Countries', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [pp 525-528].

18 Dr Mark Parrish, Regional Medical Director, IHMS, *Committee Hansard*, 11 July 2014, p. 2.

comprehensive program for malaria management. Our team is multidisciplinary; it includes general practitioners, an emergency physician, paramedics, consulting psychiatrists, registered nurses, mental health nurses, psychologists and counsellors, and vector control officers. We have a number of specialists that also visit the centre.¹⁹

2.21 Dr Parrish also outlined contingencies in place for emergency scenarios:

One part of the emergency response capability of the health service, particularly in these remote settings, is a preparedness for a mass casualty event. We have the plans in place to ensure we are ready to respond to an increase in demand on the health service and the treatment of injuries. This includes close relationships with the local hospitals and other hospitals in Port Moresby and Australia, with detailed knowledge of their capabilities.²⁰

Transition of welfare and garrison functions to Transfield Services

2.22 In late 2013 the Australian Government took a decision to alter the service provider arrangements for the Manus Island RPC.

2.23 Transfield Services (Transfield), which had been providing garrison services at the centre on Nauru since September 2012, was awarded the ongoing contract to deliver garrison and welfare services at the Manus Island centre, replacing both G4S and the Salvation Army. G4S was informed by the department in December 2013 that its contract had not been renewed, and advised to transition out to Transfield by 28 March 2014.²¹

2.24 Changes that have occurred at the Manus Island centre as a result of the change of service provider to Transfield are discussed further in chapter 6.

Subcontracting arrangements

2.25 The contactors engaged by the department have the capacity to fulfil their contractual obligations by engaging subcontractors to perform specified functions.

2.26 G4S informed the committee that during its tenure, it subcontracted out functions relating to: managing and maintaining assets; cleaning services; environmental management services; catering; and logistics.²² G4S engaged a PNG security firm, Loda Securities, to provide local employees to work as security officers at the centre, in an arrangement approved by the department.²³

2.27 In relation to the work standards and requirements to be met by local subcontractors, the department's contract with G4S stated:

[T]he parties intend that [G4S] will engage some local entities as subcontractors. The parties recognise that it may not be possible for local

19 *Committee Hansard*, 11 July 2014, p. 2.

20 *Committee Hansard*, 11 July 2014, p. 2.

21 *Submission 29*, p. 2.

22 *Submission 29*, pp 9 and 10.

23 *Submission 29*, p. 10.

entities to meet all of the Requirements [placed on G4S]. The terms on which local entities will be engaged will be agreed between the parties.²⁴

2.28 Transfield has similarly engaged a number of subcontractors to assist in delivering elements of its contract. Wilson Security has been engaged by Transfield to provide security services and other support services at the centre.²⁵ Transfield stated that it has a 'comprehensive list' of subcontractors providing services on Manus Island, but declined to provide the committee with information regarding the identities of other subcontractors it has engaged at the centre.²⁶

Confidentiality obligations imposed on service providers and staff

2.29 Contracted service providers were required to sign confidentiality deeds with the department preventing them from disclosing information relating to their operations at the Manus Island RPC, and noting that such disclosure is punishable under the *Crimes Act 1914*.²⁷ The department stated that such confidentiality requirements are standard practice in Commonwealth contracts.²⁸

2.30 Service provider staff were also required to sign restrictive confidentiality agreements with both the department and their employer in relation to their employment at the centre.²⁹ Several former employees at the centre stated that staff were continually warned that breaches of these confidentiality requirements was punishable, including by prosecution.³⁰

Legal obligations of service providers

2.31 The contracts between the department and service providers impose obligations on service providers to comply with laws and policies.

24 Clause 6.7 (page 15), 'G4S – Contract for provisions of services on Manus Island (PNG)', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [p. 20]. Similar provisions were included in the contracts of the Salvation Army and Transfield.

25 Mr Derek Osborn, Executive General Manager, Logistics and Facilities Management, Transfield Services, *Committee Hansard*, 1 June 2014, p. 60.

26 Transfield Services, *Responses to questions taken on notice at a public hearing on 11 June 2014* (received 23 July 2014), p. 2.

27 See, for example, Schedule 3 Confidentiality Deed, 'G4S – Contract for provisions of services on Manus Island (PNG)', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [pp 85-88].

28 Mr Mark Cormack, Department of Immigration and Border Protection, *Committee Hansard*, 11 July 2014, p. 32.

29 See: Mr Andrew Wilkie MP, *Submission 4*, p. 1; Ms Elizabeth Thompson, *Submission 19*, p. 3; Ms Kristi Moffatt, *Submission 36*, [p. 1]; Mr Darren Boyd, Regional Managing Director, G4S, *Committee Hansard*, 10 June 2014, pp 62-63.

30 Mr Simon Taylor, *Submission 6*, [pp 1 and 7]; Ms Kristi Moffatt, *Submission 36*, [p. 6]; Mr Steven Kilburn, *Committee Hansard*, 11 June 2014, pp 1-2; Ms Nicole Judge, *Committee Hansard*, 12 June 2014, pp 37-38.

2.32 For example, G4S's contract with the department stated:

[G4S] must, in performing its obligations in this Contract, comply, and ensure compliance by all its Personnel, with:

- a. all applicable laws, including those applicable in Papua New Guinea and those Australian laws that are applicable to the Services or the Site; and
- b. all applicable Commonwealth policies as notified to the Service Provider from time to time.³¹

2.33 Service provider contracts also explicitly provide that service provider employees and subcontractors engaged at the Manus Island centre must comply with Commonwealth Work Health and Safety legislation and develop and implement a Work Health and Safety plan.³²

2.34 The department's contract with IHMS provides that IHMS must conduct its duties in accordance with a list of specified Australian government and departmental policies, as well as comply with all Australia's obligations under any international agreements.³³

2.35 The contracts between the department and service providers are justiciable in Australia, enforceable in state jurisdictions as specified in the individual contracts.³⁴

Role of Australian departmental officials at the centre

2.36 Officers from the Department of Immigration and Border Protection play a central role in overseeing the management and operation of the Manus Island RPC. The department informed the committee that at the time of the incidents in February 2014, there were 15 departmental officers at the centre, comprising 11 operational staff and four transferee interviewers.³⁵

31 Clause 3.3.1 (page 9), 'G4S – Contract for provisions of services on Manus Island (PNG)', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [p. 9]. An identical clause was included in the Salvation Army's contract with the Department, and a similar clause referring to both PNG and Nauru has been included in Transfield Services' contract.

32 See, for example: Schedule 1, Clause 17.3 (pages 28-29), 'G4S – Contract for provisions of services on Manus Island (PNG)', and clause 17.3 (page 29), 'Salvation Army – Contract for provision of services on Regional Processing Countries', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [pp 33-34 and 504 respectively].

33 Schedule 15 – Australian Government and Department Policies, 'IHMS Regional Processing Countries Health Services Contract', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [pp 466-468].

34 The department's contracts with IHMS, the Salvation Army and Transfield Services are all governed under the law of the Australian Capital Territory, while G4S's contract is subject to the law of Victoria.

35 Department of Immigration and Border Protection, *Answers to questions taken on notice at public hearing on 11 July 2014* (received 15 August 2014), [p. 6].

2.37 The department's contracts with the various service providers state that the key departmental personnel at the centre for the purposes of liaising with service providers are a Contract Administrator and a Department Operations Team Leader.³⁶

2.38 Departmental officials closely oversee the activities of service providers at the centre. This arrangement is formalised in a governance framework designed to 'support the effective delivery of services'. This framework includes senior management meetings (generally in Canberra) which deal with high level strategic/tactical issues, as well as local management meetings conducted by staff at the centre dealing with issues at the service delivery levels.³⁷

2.39 The committee received evidence from service provider employees confirming that they were given directions from departmental staff working at the centre, with the department viewed as being in charge of the centre overall.³⁸

Employment of local workers by contracted service providers

2.40 The potential for employment opportunities for local workers at the Manus Island RPC has been highlighted as one of the central benefits to PNG of hosting the centre. Mr Martin Bowles PSM, Secretary of the department, informed the committee that the 'vast majority' of the workforce at the Manus Island centre are PNG nationals, and 'the spin-off training, employment and local business impacts are highly significant'.³⁹

2.41 G4S's contract with the department specified that 50 per cent of security staff, and 75 per cent of cleaning and gardening staff engaged by G4S (either directly or through subcontracting arrangements with local businesses) to work at the centre must be 'local' (that is, either a resident of Manus Province or a business based in the Manus Province).⁴⁰

2.42 The percentages of local staff to be engaged by Transfield across each work area were redacted from the copy of Transfield's contract provided to the committee,

36 See, for example: Clauses 4.2-4.3 (page 10), 'G4S – Contract for provisions of services on Manus Island (PNG)', and clause 4.3, 'Salvation Army – Contract for provision of services on Regional Processing Countries', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [pp 15 and 486 respectively].

37 See: Schedule 1, Clause 18.2.2 (pages 68-69), 'G4S – Contract for provisions of services on Manus Island (PNG)', and clause 8.2.2 (page 43), 'Salvation Army – Contract for provision of services on Regional Processing Countries', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [pp 73-74 and 518 respectively].

38 Mr Christopher Iacono, *Submission 20*, [p. 3]; Ms Nicole Judge, *Submission 12*, pp 11-12.

39 *Committee Hansard*, 10 June 2014, p. 2.

40 Schedule 1, Clauses 1.2.2-1.2.3 (page 33), 'G4S – Contract for provisions of services on Manus Island (PNG)', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [p. 38].

however representatives from Transfield did confirm that, in relation to security staff, its contractual requirement is for 45 per cent of staff to be locally employed.⁴¹

2.43 A fact sheet published by the Australian High Commission in PNG noted that, as at 15 July 2014, 67 per cent of Transfield staff employed at the centre were PNG citizens.⁴²

2.44 Further information published by the High Commission states that, as at 31 July 2014, approximately 1011 PNG citizens were employed to provide services at the Manus Island centre, of which 865 are from Manus. Additionally, 64 per cent of all service provider staff at the centre at that time were PNG citizens.⁴³ A comparison with the same statistics in January 2014 shows that the overall number of local employees increased significantly between January and July 2014; as at 10 January 2014, approximately 680 PNG citizens were employed at the centre, of which 580 were from Manus.⁴⁴

2.45 When asked how it recruits local workers for employment at the centre, a representative from Transfield explained to the committee that it used a team working directly on Manus Island:

[A]s I understand it, we had a team of recruitment specialists on the island. Their job was to get out there. We used some interpreters. We used some local people to help us spread the message. I understand we did some radio spots on the local radio. Clearly, there was, I guess, word-of-mouth activity going on around the centre as well. In some cases people came to us; in some cases we went to the people.⁴⁵

Other economic involvement by PNG businesses and employees

2.46 In addition to locals directly employed at the centre, many other PNG companies are involved in providing goods and services to the facility. The latest publicly released figures state that 18 PNG companies, including five Manus companies, have a direct business involvement providing goods and services to the centre, with an average worth of 1.4 million kina per week (approximately

41 Mr Derek Osburn, Transfield Services, *Committee Hansard*, 11 June 2014, p. 59. Transfield also noted that (unlike for G4S's contract) the definition of 'local' was not specified as Manus Island, see: Transfield Services, *Responses to questions taken on notice at a public hearing on 11 June 2014* (received 23 July 2014), p. 2.

42 Australian High Commission in Papua New Guinea, 'Regional Processing Centre: Economic Opportunities Fact Sheet 1 as at 15 July', p. 1, <http://www.png.embassy.gov.au/pmsb/media.html> (accessed 12 August 2014).

43 Australian High Commission in Papua New Guinea, 'Regional Processing Centre on Manus: Economic and Aid Update Fact Sheet 1 – Economic Opportunities as at 31 July 2014', p. 1, <http://www.png.embassy.gov.au/pmsb/media.html> (accessed 10 September 2014).

44 Australian High Commission in Papua New Guinea, 'Regional Processing Centre on Manus: Economic Opportunities Fact Sheet 1 as at 10 January 2014', p. 1, <http://www.abc.net.au/news/2014-02-27/who-is-responsible-for-asylum-seekers-detained-on-manus/5275598> (accessed 12 September 2014).

45 Mr Derek Osborn, Transfield Services, *Committee Hansard*, 11 June 2014, p. 61.

\$621,000 AUD).⁴⁶ There are currently also ongoing infrastructure construction projects of significant value,⁴⁷ both at the detention centre itself and at other sites in Manus Province, which are utilising local companies and employees.⁴⁸

Challenges associated with the requirement for locally engaged security staff

2.47 G4S representatives discussed with the committee the challenges associated with the requirement for 50 per cent of security staff to be locally engaged:

It presents large challenges from the point of view that Manus Island itself has a population of somewhere between only 40,000 and 50,000 people. There was not a large number of security firms available to us with a large amount of experience. We were actually assisting Loda to establish the company and go through the recruitment process, the selection process and then the training process of the guards who were then employed directly through Loda.⁴⁹

...It is very important to ensure we got this right, because we are working within a local community. It would be the PNG norm to ensure that the workforce reflected the local community, the local clans and the land owners and so on. If we had not got that right we could have set off another round of land owner protests, so we took this forward very carefully and used our PNG expertise to deliver that solution.⁵⁰

2.48 G4S confirmed that a 'high percentage' of the staff engaged through Loda Security would have had no prior experience doing security work.⁵¹

46 Australian High Commission in Papua New Guinea, 'Economic and Development Benefits to PNG of the Regional Resettlement Arrangement as at 7 November 2014', *Fact Sheet*, p. 2, <http://www.png.embassy.gov.au/pmsb/media.html> (accessed 24 November 2014).

47 The managing contractor for these projects, Decmil Australia, has reportedly had its contract with the Commonwealth to deliver these works upgraded to be worth a total of \$235 million AUD. See: Sonia Kohlbacher and Paige Taylor, 'Deal signed for significant Manus Island detention centre upgrade', *The Australian*, 8 September 2014, <http://www.theaustralian.com.au/national-affairs/immigration/deal-signed-for-significant-manus-island-detention-centre-upgrade/story-fn9hm1gu-1227050794419> (accessed 12 September 2014).

48 Australian High Commission in Papua New Guinea, 'Regional Processing Centre on Manus: Economic and Aid Update Fact Sheet 1 – Economic Opportunities as at 31 July 2014', pp 1-2.

49 Mr Darren Boyd, G4S, *Committee Hansard*, 10 June 2014, p. 50.

50 Mr Chris Manning, Managing Director of Immigration Services, G4S, *Committee Hansard*, 10 June 2014, p. 50.

51 Mr Darren Boyd, G4S, *Committee Hansard*, 10 June 2014, p. 50.

Adequacy of staff training for service provider employees

2.49 Training and induction processes for service provider employees were discussed at some length during the inquiry, particularly in relation to staff of G4S and the Salvation Army.

Training of G4S staff

2.50 Several submitters and witnesses commented on the level of training provided to G4S staff.

2.51 G4S's contract with the department placed several requirements on G4S staff, including that they: be appropriately skilled, trained and qualified to provide the services for which they are engaged; satisfy relevant background checks; and are of good character and conduct. Specifically in relation to staff training, there was a requirement that all personnel:

...undergo induction, orientation and ongoing training that complies with the Department requirements when commencing employment with the Service Provider or starting work in relation to the Services and during deployment, including training provided by other Service Providers.⁵²

2.52 G4S informed the committee that all its staff undertook a six day induction training course, generally in groups of five to 20, which involved topics including risk and hazard identification, dynamic and situational security awareness, emergency and incident response, defensive tactics, and cultural awareness. G4S also stated that all staff 'received ongoing refresher training in accordance with a designated training plan throughout their engagement'.⁵³

2.53 In relation to training for the G4S incident response team (IRT), the security team tasked with responding to incidents if a greater level of security was required than the baseline circumstances at the centre dictated, G4S advised:

IRT members not only undertook the induction training but an additional 4-day IRT training course which involved the following topics:

- Emergency and Incident Response
- Defensive Tactic, including use of force philosophy, tactical options, situational decision making, communication strategies and positional asphyxia
- Foot drills without shields
- Unit formations
- Annex/ Yard/ Compound clearance
- Arresting and surrendering

52 Clause 5.4.2 (page 12), 'G4S – Contract for provisions of services on Manus Island (PNG)', *Additional Information provided by the Department of Immigration and Border Protection – contracts* (received 30 May 2014), [p. 38].

53 *Submission 29*, Attachment 3, p. 2.

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- Barricade removal
 - Drills scenarios
 - Fire drills (fire truck)
 - First aid (ambulance).

The IRT also practised defensive shield drills on a daily basis.⁵⁴

2.54 G4S representatives expanded on the level of training provided to IRT members at a public hearing:

[The] IRT teams themselves were given four days intensive initial training. Then they were required to operate—preferably daily, but no less than three to five times a week, they were running ongoing drills in terms of tactical operations on how to deal with the different scenarios that they may face.⁵⁵

...They had their initial training. They were then under supervision of people who were trained to be trainers—train the trainers for that sort of training, be it police, military or prison service. They were then required daily to undertake day and night drills. Each shift was required to undertake drills and report on the efficacy of that training, because it was a training activity. That was logged and so on and so forth. It was a rolling, ongoing process of training.⁵⁶

2.55 G4S summarised its training programs for employees at the Manus Island centre as follows:

The G4S training program draws upon years of experience of G4S in similar situations both in Australia and in other countries around the world. It was also specifically tailored to the conditions and facilities on Manus Island. The Department was provided with the details of this training in February 2013. G4S was told by the Department that it considered G4S's training program to represent best practice.⁵⁷

2.56 The committee received submissions from former G4S employees who disagreed with this assessment of the training provided by G4S. These submitters argued that the level of training provided, both for expat staff and for PNG staff with little or no previous employment history engaged in security roles, was inadequate. Mr Steven Kilburn, employed as a G4S safety and security officer (SSO) from October 2013 to February 2014, stated:

Initial training provided at the [centre] was woefully inadequate. The training was supposed to take 6 days, but probably consisted of less than 16 hours of actual training. There were no dedicated training facilities and we moved from place to place looking for rooms and areas to conduct training.

54 *Submission 29*, Attachment 3, pp 2-3.

55 Mr Darren Boyd, G4S, *Committee Hansard*, 10 June 2014, p. 56.

56 Mr John McCaffery, Deputy General Manager Manus Island Detention Centre, G4S, *Committee Hansard*, 10 June 2014, pp 56-57.

57 *Submission 29*, Attachment 3, p. 3.

The training was inconsistent and often contradictory regarding what powers SSO's had and what actions they could take in relation to use of force. On our third day of training we were sent to the compounds to shadow more experienced SSO's. Approximately 1 hour after being placed in Foxtrot compound as a shadow my SSO was required to leave due to staff shortages. I was then left unsupervised for the remainder of the shift. I had no radio or other means of communication. Other newly arrived SSO's were placed in the same position. Training was stopped prior to the 6 days due to staff shortages and we were placed on shift. No other training was provided to me during my time at the MIRPC.⁵⁸

2.57 Another former G4S officer who declined to be identified commented:

On employment I arrived at the island and completed five days of training. This was conducted on board HMAS Choules and other locations on the island. A variety of training staff was used. I'd say it was the poorest form of instruction I've ever seen in my life. The staff always offered excuses as to where they were at on the training program and cut lessons short. The information provided seemed to be in close relation to one of their prison contracts in Australia. It was embarrassing for the officers trying to learn. Up to four staff were involved with the training. This was conducted in October. On most days towards 2pm we were informed we'd pick up the training later. This was not completed until the refresher training in January.⁵⁹

2.58 Mr Martin Appleby was an SSO who worked at the centre from August 2013 to December 2013 and was given responsibility for delivering training modules to other G4S staff at the centre. He commented:

After my initial training and when rostered on my 1st official day I was handed a training and assessment role in delivering training to both ex-pats and PNG nationals. After delivering the 1st week of training I found that the training lacked the in-depth training required to become [an] efficient SSO...I also warned the training Manager that the training package was insufficient to be able to deliver the correct training level to the PNG nationals...we could not even sufficiently communicate with the people let alone deliver a Australian designed training package to a foreign person in a foreign land in such a short space of time.⁶⁰

2.59 Particular concerns were raised in relation to the IRT training. Mr Paul Skillen, a security supervisor in charge of the IRT at the centre during late 2013, commented:

[A]lthough the PNG nationals were keen, and willing to learn, the level of training was woeful, and I was gravely concerned that the tension was

58 *Submission 18*, pp 1-2.

59 Mr Andrew Wilkie MP, *Submission 4*, p. 11.

60 *Submission 10*, p. 4. See also: Additional information provided to the committee, *Document tabled by Mr Martin Appleby at public hearing on 12 June 2014 – witness statement*, [p. 4].

rising within the centre and they would not be up to the task of dealing with a serious disorder.⁶¹

2.60 Mr Skillen escalated these concerns to G4S management at the centre in November 2013, including that IRT supervisors were often themselves not sufficiently experienced, and that the structure of the IRT system itself needed revising.⁶²

2.61 Mr Kilburn agreed that local security staff engaged at the centre did not have enough relevant experience to be able to deal with the challenges associated with any serious disturbances arising at the centre:

The local Loda staff do not have not only the training but just the experience to be put into that position. It is fine when everything is going fine—it is easy; anyone can do it. The training becomes important when it all goes wrong. That is where experience and training, as always, come to the fore. What we saw that night [17 February 2014] was an example of a lack of not only training but experience in dealing with those issues. Would we go and get people off the street—some people with only middle high-school education—give them six days training and put them into the riot squad at a prison in Australia? Is that something that we would think is a reasonable thing? Of course not. But that is what we have done up there.⁶³

2.62 G4S responded to the concerns raised about staff training by former employees in a supplementary submission to the inquiry:

G4S rejects these statements regarding the adequacy of training and submits that the training provided to expatriate and local PNG staff was appropriate...G4S employed several hundred employees to provide garrison and security services at the Centre. In any organisation of that size there will always be a difference in opinion amongst staff on matters such as training.

To ensure that there was overall satisfaction of the quality and level of training among staff G4S conducted a survey on 142 staff...The results of this survey, indicate that staff were satisfied with the level of training, including specifically experienced expat staff.⁶⁴

Training and standards for Salvation Army employees

2.63 The committee heard disturbing evidence that the Salvation Army deployed some employees offshore with little or no preparation. Ms Nicole Judge, a former Salvation Army employee who worked at the Nauru RPC from September 2012 to July 2013, and then at the Manus RPC from September 2013 to December 2013, stated that she was hired as a general support worker and stand-in case manager without an interview or any job training.⁶⁵ Ms Judge and Mr Christopher Iacono,

61 *Submission 2*, p. 1. See also: Mr Martin Applebly, *Submission 10*, pp 4-5.

62 *Submission 2*, Attachment 1, p. 1.

63 *Committee Hansard*, 11 June 2014, p. 16.

64 *Supplementary Submission 29.1*, p. 5.

65 Ms Nicole Judge, *Submission 12*, pp 2-3.

another former Salvation Army employee who worked at both Nauru and Manus Island, gave evidence to the committee that they had been recruited and deployed offshore solely on the basis of a Facebook post by the Salvation Army on a Macquarie University website. Ms Judge commented:

[The Facebook advertisement] described going to Nauru as like a holiday, and that it would be really fun. I called the phone number and they asked me when can I go and did I know anyone that could come along. I had two friends from school...I called them. Then I think it was two or three days later we were in Nauru. That is what happened.⁶⁶

2.64 Ms Judge told the committee that this process had not prepared her for the immense challenges of working at an offshore processing centre:

Senator HANSON-YOUNG: ...The work that all of the staff do [on Nauru and Manus Island], whether they are in the welfare officer roles, as both of you were, or the security officers, my impression is that it is hard yakka, physically and emotionally. The hours are long. I have spoken to many staff off duty after I have been in the centre and they talk about the constant change between the day and night shifts plays havoc with your own body clock. Were they all things that you expected?

Ms Judge: No. I did not expect anything like that. I honestly thought that going into this it would be some kind of fun experience. I hate to say that because it sounds so naive, but that is what I thought. I was not expecting the heat, the hours, the change in shifts, nothing like that.⁶⁷

2.65 The Salvation Army responded to the assertion that support workers were recruited for deployment to offshore processing centres without adequate skills and experience and without interviews being conducted:

By their very description, support workers roles typically do not require individuals to have particular skills or experience. The role of Support Worker was a very flexible role, which at times consisted of largely unskilled activities, such as sport and recreation activities, facilitating computer and telephone access, operating the kiosks and the provision of basic needs for clients. The Salvation Army maintains that those employees who were engaged in this role were, at all times, adequately skilled to discharge the duties required.

In the earliest stage of recruitment for work on Nauru and Manus Island OPCs, whilst an online application process was used at the first stage of application, this was followed by a telephone interview. Employees were also required to undertake a formal induction process at the commencement of their employment.⁶⁸

66 *Committee Hansard*, 12 June 2014, pp 36-37.

67 *Committee Hansard*, 12 June 2014, p. 37.

68 The Salvation Army, *Submission 34*, pp 7-8.

2.66 The Salvation Army also noted the challenges associated with commencing operations at the offshore processing centres at short notice:

In the early days of The Salvation Army's work on the Nauru and Manus Island OPCs, the [department] required an incredibly rapid start-up, which meant that a formal induction was not developed prior to The Salvation Army getting their first people on the ground. However, at all times (including from the first deployment) employees were briefed by The Salvation Army either prior to departure or immediately upon arrival at the OPCs.⁶⁹

2.67 Departmental officials also commented on concerns raised about inexperienced staff being employed at the Manus Island centre:

Under the contracts between the department, G4S and the Salvation Army, it was the responsibility of the service providers to ensure that staff were appropriately recruited, skilled, qualified and trained. We expect all of our service providers to meet their contractual obligations and we make every effort to ensure that our expectations are clear to service providers.

We were certainly very concerned to hear the accounts that were given here that the Salvation Army staff allegedly recruited people who were not properly assessed, according to the evidence that was given...

[F]rom time to time with contracts in our detention onshore and offshore, community detention, community providers, we received reports of either inappropriate behaviour or inadequate training amongst staff of service providers. When it comes to our attention, we bring that to the attention of the service providers. On a number of occasions that has resulted in the termination of those staff members. That is our normal practice. It did not happen in this instance, as I have acknowledged, and that is regrettable.⁷⁰

69 The Salvation Army, *Submission 34*, p. 8.

70 Mr Mark Cormack, *Committee Hansard*, 11 July 2014, p. 50.

