

Office of the Deputy Commissioner
National Security – Peter Drennan



AFP
AUSTRALIAN FEDERAL POLICE

REF: CMS 2011/10344	
Date:	11 May 2011
FROM :	DCNS
SUBJECT :	Review of Use of Force – Christmas Island 13 – 23 March 2011

<input checked="" type="checkbox"/>	Commissioner	<input type="checkbox"/>	COO	<input type="checkbox"/>	DCNS	<input type="checkbox"/>	DCO	<input type="checkbox"/>	DCCOS
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		<input type="checkbox"/>	CIO	<input type="checkbox"/>	NMCT	<input type="checkbox"/>	NMSOC	<input type="checkbox"/>	NMHTCO
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Response Required by:

For Information Only

Action to be taken:

Commissioner

Attached is the review in regards to the use of force on Christmas Island in response to the riots in and surrounding the North West Point Immigration Detention Centre (IDC) between 13 and 23 March 2011. The review was conducted by Superintendent [REDACTED] with oversight by Assistant Commissioner [REDACTED]. The review also addresses the specific issues raised by you in your direction to me dated 29 March 2011.

I have reviewed this document, the attachments and the comments by Assistant Commissioner [REDACTED]. I have also spoken to Commanders [REDACTED] and [REDACTED] who were the operational commanders through the majority of this period. In addition I have viewed video coverage of the incident and was provided with a practical demonstration of the less lethal use of force options that were deployed on Christmas Island during this period.

Following my review of this material, the viewing of the video material and the demonstration of the use of force options I have concluded: that the use of force deployed was commensurate to the escalating levels of violence by the detainees of the IDC; was necessary to protect the other detainees in the IDC, the staff of the IDC, the community

of Christmas Island; and ensure the safety of the AFP members deployed in response to the incidents. I am satisfied the correct authorities were in place for the less lethal force options that were deployed, there was a command structure in place which provided direction and oversight of the AFP activities, the requirements of Commissioner's Order 3 were complied with, the reporting and review is of the level and detail required and the members involved only used the minimum amount of force required to resolve the incidents and ensure the safety of all concerned.

The use of force has now been reviewed by the IDG Operations Commander, the IDG National Manager and PRS. The IDG reviews did not reveal any issues of non-compliance of CO3 or any deficiencies in command, authorizations or decision making. The PRS review did not reveal any AFP code of conduct issues. There have been no complaints made to the AFP or Ombudsman of improper behaviour or excessive use of force by AFP members.

As a result of the reviews there are a number of specific recommendations in regards to the AFP use of force regime. These are the requirement for additional information in the 'Use of Force' forms to cover the rationale for the level of force deployed; the need to amend CO3 to ensure that extended range impact weapons (bean bag rounds and the like) are specifically mentioned and described; and there is a review of the 2006 authorisation for the use of extended range impact weapons and chemical munitions to reaffirm their suitability as less lethal use of force options available to the AFP.

Overall I am satisfied that the use of force deployed and the actions of the AFP members involved was necessary, was commensurate to the level of violence and threat posed to all concerned and required to ensure the safety of the AFP officers involved and to restore law and order to the IDC and Christmas Island.

P T Drennan
DCNS