



Committee Secretary  
Joint Select Committee on Australia's Immigration Detention Network  
PO Box 6100  
Parliament House  
Canberra ACT 2600

**BY ELECTRONIC SUBMISSION**

3 November 2011

Dear Committee Secretary,

**Inquiry into Australia's Immigration Detention Network: Questions on Notice**

When we appeared before the Committee on 5 October 2011, we were asked the following Questions on Notice:

*Review of ASIO security assessments*

1. Could ASIO concerns about protecting national security be alleviated by adopting a review process whereby the ASIO decision is reviewed by a security-cleared judge in the Federal Court (and where the individual is represented by a security-cleared lawyer)?

To enable merits review, could a Federal Court judge sit other than as a judge (*persona designata*) in order to be able to assess errors of both fact and law?

*Monitoring of asylum seekers in the community*

2. What conditions may be placed on asylum seekers living in the community so as to alleviate fears that the community may hold about absconding (e.g. electronic bracelets)?

*Outsourcing of detention management*

3. Do other countries outsource the operation of immigration detention facilities to private contractors?

*Reviewability of decisions by non-DIAC officers*

4. The Comcare Report makes the assumption that anyone working within immigration detention facilities is under the care of DIAC (whether they are DIAC, Serco or contractors to Serco), and therefore the Commonwealth. What implications does this have for the reviewability of decisions made by non-DIAC officers?

Our responses are contained in the numbered annexures to this letter.

Yours sincerely,

Professor Jane McAdam  
Director, International Refugee & Migration  
Law Project

Greg Weeks  
Lecturer, Faculty of Law

Fiona Chong  
G+T Centre Intern

Alice Noda  
G+T Centre Research Assistant