

Question on notice no. 284

Portfolio question number: AE21-284

2020-21 Additional estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Stirling Griff: asked the Australian Border Force on 22 March 2021—

On how many occasions in each of the past five years has there been use of force on a detainee aged under 18 (whether held in APODS or other) . Please provide a breakdown by age and year.

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL ESTIMATES
22 MARCH 2021**

**Home Affairs Portfolio
Australian Border Force**

**Program 1.3: Onshore Compliance and Detention
AE21-284 - Use of force on detainees under 18**

Senator Stirling Griff asked:

On how many occasions in each of the past five years has there been use of force on a detainee aged under 18 (whether held in APODS or other). Please provide a breakdown by age and year.

Answer:

“Use of force” in immigration detention refers to a range of actions ranging from verbal commands, the use of restraints such as handcuffs, and physical action to prevent a detainee from harming themselves or others. Any use of force in immigration detention is subject to stringent reporting requirements and internal and external oversight processes to ensure force is not applied arbitrarily, or against policy or law.

From 1 January 2016 to 31 January 2021, there were 65 occasions where detainees aged under 18 were involved in use of force incidents in held detention.

Most incidents related to planned use of mechanical restraints while escorting a detainee to an offsite location (50). The other incidents related to unplanned use of restraints while escorting a detainee within or outside of an immigration detention facility (6), or unplanned use of force to prevent self-harm (<5), prevent assault (<5), prevent injury (<5) and prevent escape (<5).

| Year | 0–4 | 5–6 | 7–12 | 13–15 | 16–17 | Total |
|----------------------|------------|------------|-------------|---------------|---------------|---------------|
| 2016 | 0 | 0 | 0 | <5 | <5 | <5 |
| 2017 | 0 | 0 | 0 | <20 | 0 | <20 |
| 2018 | 0 | 0 | 0 | 15 | 20 | 35 |
| 2019 | 0 | 0 | 0 | 0 | <10 | <10 |
| 2020 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2021 (at 31 January) | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 | <35 | <35 | 65 |

Notes:

- *Figures have been updated based on manual interrogation of departmental systems data.*
- *Figures are based on the number of participants aged under 18 involved in incidents, rather than the number of incidents. Multiple participants can be involved in each incident.*
- *Figures are based on the detainee’s age at the time of the use of force incidents.*
- *Incidents include ‘use of force’ and ‘use of force – planned’.*