

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 27 February 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE17/046) - Mobile phones used for illegal activity - Programme 1.1: Border Enforcement

Senator Pratt, Louise (L&CA 89) asked:

Senator PRATT: What evidence exists regarding the use of mobile phones for illegal activity?

Mr Quaedvlieg: There are a number. A couple I can highlight to you is the conduct of a drug distribution and supply activity by a detainee in one of our centres whilst he was detained.

Another very recent one was the use of a mobile phone to plan and facilitate an escape from one of our centres.

Senator PRATT: The policy applies to all centres; is that right?

Mr Quaedvlieg: That is right.

Senator PRATT: How many centres have you identified this illegal activity taking place in?

Mr Quaedvlieg: I will have to take that on notice, but the use of mobile phones for any number of nefarious activities in our centres is broad and across the network.

Senator PRATT: So the illegal activity is not limited to the 501 community?

Mr Quaedvlieg: No.

Senator PRATT: If you could provide evidence on notice about that, that would be great.

Mr Quaedvlieg: Yes, Senator.

Answer:

There are numerous documented incidents and intelligence reports pertaining to the use of mobile phones being used as a means to conduct illegal activities and to threaten the safety, good order and security of the immigration detention network.

These activities have been reported and documented in all onshore Immigration Detention Facilities and are not limited to detainees whose visa has been cancelled under s501 of the *Migration Act 1958* (cth).

The attached case studies demonstrate a number of incidents that have occurred across the immigration detention network pertaining to the use of mobile phones to commit illegal activities.

Attachments:

Attachment A – Mobile phone case studies.

MOBILE PHONES CASE STUDIES

CASE STUDY 1 – Major Disturbance

On 21 June 2014, external and internal demonstrations were held simultaneously at Yongah Hill Immigration Detention Centre (YHIDC). There were approximately 80 detainees involved in a passive demonstration inside the Greenheart and approximately 120 protestors external to YHIDC. During the internal demonstration several detainees from the Illegal Maritime Arrival (IMA) cohort were observed utilising a mobile phone to communicate with the protestors outside the centre. This communication was confirmed by Australian Federal Police intelligence sources. Although line of sight between the protestors' location and the detainee areas in the Greenheart is limited, it became apparent that the IMAs were using this communication channel to manoeuvre themselves into a position within the Greenheart to allow a better line of sight from the external protestors and to allow the Disturbance to escalate.

CASE STUDY 2 – Escape from an Immigration Detention Facility (IDF)

On 13 February 2017, at 1830hrs, a detainee (from the s501 cohort) successfully escaped from Villawood Immigration Detention Centre (VIDC) via the visits area in Hotham. Following the incident, review of the CCTV footage of the external and internal perimeter of the IDC revealed the detainee was aided by two persons in a white vehicle who placed a rope over the wall on which the detainee utilised to summit the wall successfully. The CCTV revealed that the entire escape was facilitated successfully as the detainee was in conversation with the persons at the exterior wall of the IDF via mobile phone.

CASE STUDY 3 – Threat to commit assault

On 8 January 2017, intelligence was received that a detainee of New Zealand Nationality had used his mobile phone to call another detainee to place a "hit" on a third detainee accommodated at Maribyrnong Immigration Detention Centre (MIDC). This brief notes that the detainee with a hit allegedly placed on him is an extreme risk detainee with a demonstrated propensity for violence, non-compliance and sourcing of contraband through various means.

Intelligence suggests that the detainee also called another detainee on Christmas Island who is associated with the Lone Wolf OMCG, to obtain information about the detainee with a hit on him. When engaging with Serco staff, the detainee advised that "they call me when things need to be dealt with."

Intelligence assessed it as probable that the detainee is a leadership figure given his influential criminal associations including kinship with current leadership figures of the Mongols OMCG; his criminal history and his reputation. Intelligence also assessed it as probable that detainees, including leadership figures, are in communication across the Immigration Detention Network through mobile phone.

CASE STUDY 4 – Escape from an IDF

On 4 February 2016, a detainee (from the s501 cohort) escaped from MIDC and summited the exterior perimeter fence before being apprehended by Serco Officers. The post incident review into the escape revealed that the detainee was observed using his mobile phone immediately prior to scaling the roof. The mobile phone reportedly rang several times subsequent to the detainee's apprehension. The mobile phone was handed to Serco's Intelligence Analyst in accordance with preservation of evidence procedures, and subsequent passed to Victoria Police to be potentially used for evidentiary purposes.

CASE STUDY 5 – Armed escape from an IDF

On 12 November 2014, two detainees (from the s501 cohort), assisted by two unidentified members of the public, escaped from MIDC. The members of the public used bolt cutters to remove the padlocks securing the pedestrian gates in the outer and inner perimeter fence. CCTV review of the footage revealed that the detainees and members of the public maintained communication to facilitate the escape via mobile phone.

CASE STUDY 6 – Major Disturbance

In November 2015, detainees from the IMA and s501 cohorts on Christmas Island coordinated a major disturbance that resulted in significant damage to the facilities at Christmas Island Immigration Detention Centre (CIIDC). Review of the incident confirmed that mobile telephones were used by detainees throughout the riot to both initiate and coordinate actions. They were also employed to communicate externally with family, friends, associates and the media. The implications of use of mobile phones were critical noting the ability for detainees to coordinate their actions across CIIDC, hindrance to negotiation activities and the lengthy duration of the disturbance due to the detainee's ability to communicate in this way.